

# **COURT MANUAL**

**EFFECTIVE ~~March~~ **May** 2015**



## **United States Bankruptcy Court Central District of California**

**Edward R. Roybal Federal Building  
255 East Temple Street  
Los Angeles, CA 90012  
(855) 460-9641  
[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)**

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# INTRODUCTION

This manual is an adjunct to the LOCAL BANKRUPTCY RULES (LBRs) and is incorporated in the LBRs. It includes specific information, instructions, and requirements regarding the court for the use of lawyers, legal assistants, and the public. This information includes: filing procedures, clerical and mechanical rules, and requirements for preparation of pleadings; order preparation and lodging procedures; and instructions and guides for public access to court dockets, records, and court technology. In the event of any inconsistencies between this manual and the LBRs or the national rules, the rules control. For each judge's specific requirements please visit the court's website at <http://www.cacb.uscourts.gov/>

This manual also replaces the Desk Reference Manual previously issued which should no longer be used because it is obsolete.

## COMMENTS

If you have any comments regarding this Manual, please write to the court at:

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United States Bankruptcy Court  
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# **1 General Court Information**

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## 1.1 Quick Guide to the Court

<p><b>Website</b>  <a href="http://www.cacb.uscourts.gov">www.cacb.uscourts.gov</a></p>	<p><b>CM/ECF Help Desk</b>  (213) 894-2365  <a href="mailto:ECF_support@cacb.uscourts.gov">ECF_support@cacb.uscourts.gov</a>  Mon. through Fri., 9:00 A.M. – 4:00 P.M.</p>
<p><b>AUTOMATED TELEPHONE SYSTEM FOR CASE INFORMATION</b></p>	
<p>For free automated bankruptcy case information for any division of the Central District of California Bankruptcy Court, please call the Voice Case Information System (VCIS) at the toll free number <b>(866) 222-8029</b>. VCIS enables direct access to the court's case management system from a touch-tone telephone, and is available 24 hours a day, 7 days a week.</p>	
<p><b>LOCATIONS AND TELEPHONE DIRECTORY</b></p>	
<p><b><u>All Divisions</u></b>  For general information: (855) 460-9641</p>	
<p><b><u>Office of the Clerk</u></b>  Edward R. Roybal Federal Building  and United States Courthouse  255 East Temple Street  Los Angeles, CA 90012</p>	<p><b><u>Los Angeles Division</u></b>  Edward R. Roybal Federal Building  and United States Courthouse  255 East Temple Street, Suite 940  Los Angeles, CA 90012</p> <p>Emergency Filings (213) 894-8401</p>
<p><b><u>Santa Ana Division</u></b>  Ronald Reagan Federal Building  and United States Courthouse  411 West Fourth Street  Santa Ana, CA 92701</p> <p>Emergency Filings (714) 338-5330</p>	<p><b><u>Riverside Division</u></b>  3420 Twelfth Street  Riverside, CA 92501</p> <p>Emergency Filings (951) 774-1102</p>
<p><b><u>San Fernando Valley Division</u></b>  21041 Burbank Boulevard  Woodland Hills, CA 91367</p> <p>Emergency Filings (818) 587-2860</p>	<p><b><u>Northern Division</u></b>  1415 State Street  Santa Barbara, CA 93101</p> <p>Emergency Filings (805) 884-4878</p>

**FEE ACCEPTANCE POLICY**

The Bankruptcy Court will accept cash, U.S. Postal Service money orders, cashier's checks from an acceptable financial institution, attorney or law firm checks (payable to the U. S. Bankruptcy Court) and American Express, Discover, MasterCard, and VISA for payment of fees. Credit card transactions must be made in person by the cardholder; however, this does not apply to electronically filed documents. The court does not accept personal checks or credit cards from debtors to pay fees. All attorney/law firm checks must include a current pre-printed name, street address, telephone number and California attorney bar number.

## Section 1 - General Court Information

<b>ABBREVIATED FEE SCHEDULE<sup>1</sup></b> <b>EFFECTIVE 12/1/14</b>		
<p>The Bankruptcy Court will accept cash, U.S. Postal Service money orders, cashier's checks issued by An acceptable financial institution, attorney or law firm checks (payable to the U.S. Bankruptcy Court) and American Express, Discover, MasterCard, and VISA for payment of fees. Credit card transactions must be made in person by the cardholder; however, this does not apply to electronically filed documents. The Court does not accept personal checks or credit cards from debtors to pay fees. All attorney/law firm checks must include a current pre-printed name, street address, telephone number, and California attorney bar number. Please do not send cash through the mail. The current fees for filing documents with the Bankruptcy Court are as follows:</p>		
<b>New Petition</b>	Chapter 7	\$ 335.00
	Chapter 9	\$ 1,717.00
	Chapter 11	\$ 1,717.00
	Chapter 12 (Family Farmer)	\$ 275.00
	Chapter 13	\$ 310.00
	Chapter 15	\$ 1,717.00
<b>Case Reopening:<sup>2</sup></b>	Chapter 7	\$ 260.00
	Chapter 9	\$ 1,167.00
	Chapter 11	\$ 1,167.00
	Chapter 12	\$ 200.00
	Chapter 13	\$ 235.00
	Chapter 15	\$ 1,167.00
<b>Case Conversions:</b>	Chapter 7 to Chapter 13	None
	Chapter 7 to Chapter 11	\$ 922.00
	Chapter 11 to Chapter 7	\$ 15.00
	Chapter 12 to Chapter 7	\$ 60.00
	Chapter 13 to Chapter 11	\$ 932.00
	Chapter 13 to Chapter 7	\$ 25.00
<b>Amendments:</b>	Schedules "D," "E," or "F"	\$ 30.00
	Master Mailing List (exceptions listed in "Miscellaneous Fee Schedule")	\$ 30.00
<b>Motions:</b>	Motion to Compel Abandonment of Property	\$ 176.00
	Motion to Terminate, Annul, Modify, or Condition the Automatic Stay	\$ 176.00
	Motion to Withdraw Reference	\$ 176.00
	Motion to Sell Property of the Estate Free & Clear of Liens under 11 U.S.C. §363(f)	\$ 176.00
	Motion to make redactions to previously filed documents in a bankruptcy case	\$ 25.00
<b>Other:</b>	Abstract of Judgment	\$ 9.00
	Appeal*	\$ 298.00
	Certification	\$ 11.00
	Claims Transfer	\$ 25.00
	Complaint (Adversary Proceeding)	\$ 350.00
	Cross-Appeal*	\$ 298.00
	Exemplification	\$ 21.00
	Filing or Indexing of Miscellaneous Paper	\$ 46.00
	Issuance of Out of District Subpoena	\$ 46.00
	Photocopies Made by Court Personnel (per page)	\$ 0.50
	Printed Copies from the Courthouse Public Terminal (per page)	\$ 0.10
	Registration of Judgment from Another District	\$ 46.00
	Reproduction of Audio Recording (regardless of the medium)	\$ 30.00
	Retrieval of Records from NARA (first box)	\$ 64.00
	Retrievals involving Multiple Boxes of NARA Records (each additional box)	\$ 39.00
	Returned Fee Charge (e.g., insufficient funds, disputed charges)	\$ 53.00
	Search of Court Records (each name/item searched)	\$ 30.00
<p>1. Issued in accordance with 28 U.S.C. §1930(b) and FRBP 1006.</p> <p>2. The Court collects this fee unless the reopening is to correct an administrative error or for actions related to the debtor's discharge.</p> <p>* If the Court of Appeals Authorizes a direct appeal, or direct cross appeal, <b>an additional fee of \$207.00</b> will be collected by the bankruptcy clerk.</p> <p><b>December 1, 2014</b></p>		

## **1.2 Federal Holidays**

The United States Bankruptcy Court is closed on the following holidays:

- (a) New Year's Day**
- (b) Dr. Martin Luther King Jr. Day**
- (c) President's Day**
- (d) Memorial Day**
- (e) Independence Day**
- (f) Labor Day**
- (g) Columbus Day**
- (h) Veteran's Day**
- (i) Thanksgiving Day**
- (j) Christmas Day**

## **1.3 Legal Publications**

The following list of publications may be helpful for reference (most are available at law libraries or on the Internet. See *Appendix E* for law library locations):

- (a) Bankruptcy Code**
- (b) Federal Rules of Bankruptcy Procedure (FRBP)**
- (c) Federal Rules of Civil Procedure (F.R.Civ.P.)**
- (d) Local Bankruptcy Rules**
- (e) Federal Rules of Evidence**
- (f) California Commercial Code**



## 1.4 Local Bankruptcy Rules and Cross Reference Table

- (a) **The Court's Local Bankruptcy Rules.** The Local Bankruptcy Rules are promulgated under the authority of F.R.Civ.P. 83 and FRBP 9029. Suggestions for improving the *Local Bankruptcy Rules* may be directed to the Clerk of Court.
- (b) **Obtaining the Local Bankruptcy Rules.** The Local Bankruptcy Rules, which include the Local Bankruptcy Rules forms, may be downloaded free of charge from the court's website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>, or purchased from the Clerk's Office in the Los Angeles, Riverside, Santa Ana, San Fernando Valley and Northern divisions.

### Cross-Reference Index: Local Bankruptcy Rule References to the Court Manual

Rule Number	Title	Subsection Title	Court Manual Section
LBR 1002-1	Petition - General	(c) Number of Copies (d)(1) Incomplete Petitions (e) Redaction of Personal Identifiers	2.1(a); 3.5(b); 2.8; 3-6
LBR 1007-1	Lists, Schedules, and Statements	(a) Master Mailing List	2.3
LBR 1071-1	Divisions - Place of Filing	(a)(2) Filing of Petition	2.1(a)(5)
LBR 2002-2	Notice to and Service Upon the United States or Federal Agencies	(a)(3) United States Trustee; Exceptions to Electronic Notice and Service (a)(5) Place of Service for Non-electronic Notice or Service (c) Internal Revenue Service; General Notice Matters and Adversary Proceedings and Contested Matters	3.8(f); 4.2(b); Appendix C; Appendix D
LBR 3007-1	Objections to Claims	(a)(5) More than 20 Objections	2.7
LBR 3015-1	Procedures Regarding Chapter 13 Cases	(b)(1) Filing and Service of Petitions, and Other Case Commencement Documents	2.1(a) 2.1(e)

## Section 1 - General Court Information

Rule Number	Title	Subsection Title	Court Manual Section
LBR 4001-1	Automatic Stay	(b)(2)(B) Form; Orders for Relief From the Automatic Stay as Settled by Stipulation	4.2
LBR 5005-2	Filing Papers – Number of Copies	(a) Number of Copies (d) Judge’s Copy	2.1(a); 2.5(a); 3-5(c); Appendix F
LBR 5005-4	Electronic Filing	(a) Mandatory Electronic Filing (c) Exceptions to Mandatory Electronic Filing Requirement	3.1(b); 3.11
LBR 5010-1	Reopening a Bankruptcy Case	(a) Motion (d) Fee	2.8(c)
LBR 5075-1	Motions for Administrative Orders Pursuant to 28 U.S.C. § 156(c)	(b) Procedure	2.8(d)
LBR 7054-1	Taxation of Costs and Award of Attorneys’ Fees	(d) Items Taxable as Costs	2.8(f)
LBR 9004-1	Form of Papers Filed or Lodged with Court	(a)(1) General	2.5
LBR 9013-1	Motion Practice and Contested Matters	(o)(3)(B) Motions and Matters Not Requiring a Hearing; No Response and Request for Hearing; Lodged Proposed Order	4.2
LBR 9021-1	Orders and Judgments	(a) General (b)(1) Preparation, Lodging and Signing of Orders	4.1; 4.2
LBR 9036-1	Notice and Service By Electronic Transmission	(a)(1) Service by Electronic Means	3.8
LBR 9075-1	Emergency Motions and Applications For Orders Shortening Time	(a)(2) Obtaining Hearing Date and Time	3.5(g) Appendix H

## 1.5 Case and Adversary Numbers

- (a) **Format.** A bankruptcy case number consists of a one-digit divisional office code, a two-digit year of filing, a two-character case type, five additional digits, and a two-character judge designation. For example, 2:05-bk-12345-AA is a case filed in the Los Angeles Division in 2005, followed by the two-character case type, the five-digit case number; and it is assigned to Judge Alan Ahart. (Example of an Adversary Case: 2:05-ap-02345-AA.)

Division	One-Digit Code
Los Angeles	2
Riverside	6
Santa Ana	8
Northern	9
San Fernando Valley	1

Judge	Code
Alan M. Ahart	AA
Theodor C. Albert	TA
Martin R. Barash	MB
Neil W. Bason	NB
Catherine E. Bauer	CB
Sheri Bluebond	BB
Julia W. Brand	WB
Peter H. Carroll	PC
Scott C. Clarkson	SC
Mark M. Houle	MH
Thomas B. Donovan	TD
Wayne E. Johnson	WJ
Meredith A. Jury	MJ
Victoria S. Kaufman	VK

Judge	Code
Sandra R. Klein	SK
Robert Kwan	RK
Geraldine Mund	GM
Richard M. Neiter	RN
Robin L. Riblet	RR
Ernest M. Robles	ER
Barry Russell	BR
Deborah J. Saltzman	DS
Erithe A. Smith	ES
Kathleen Thompson	KT
Maureen A. Tighe	MT
Mark S. Wallace	MW
Scott H. Yun	SY
Vincent P. Zurzolo	VZ

- (b) **Finding a Case Number.** There are several ways to find the bankruptcy case number.

- (1) **VCIS.** See section 5.6 for access to this 24-hour free automated system.

## Section 1 - General Court Information

- (2) Public Computers. Located in each division, computers in the public areas are available at no charge to review court records for a case number and other related information.
- (3) General Information. Call the General Information number listed in the Quick Guide to the Court, section 1.1, for the division where the case was filed.
- (4) PACER. For a fee, registered PACER users can check court records for a case number and other related information. (See *PACER*, section 5.3.)
- (5) Mail. Send a letter to the division's Intake Section. (See *Quick Guide to the Court*, section 1.1 for the address of each division.) Include a \$30.00 search fee for each name or item requested and the name of the parties in the case.

### 1.6 Information about Assigned Trustee & U.S. Trustee

If a case trustee has been assigned to a bankruptcy case, the trustee's name and contact information will be identified on page one of the case docket. For more information about case trustees and the United States trustee, please refer to Section 7, *Appendix C* of this Manual or visit the U.S. Trustee website at <http://www.usdoj.gov/ust/r16/>.

### 1.7 Case Files

Case files are available for public viewing at each division. PACER and computers in public areas can also be used to view and print electronic images of most case file documents. (See *Obtaining Copies of Court Records*, section 1.12.)

### 1.8 Archived Files

- (a) National Archives and Records Administration. The court transfers older closed paper case files to the National Archives and Records Administration (NARA), Office of Regional Records Services, in Perris, California, for storage. Each division has its own schedule for sending case files and dockets to the NARA.

(b) **Determining if a File is Stored at the NARA.**

- (1) Call the General Information number for the division in which the case was filed. (See *Quick Guide to the Court*, section 1.1.)
- (2) Go to the Intake Section of the division in which the case was filed.
- (3) There is a \$30.00 search fee to obtain this information through the mail from the Clerk's Office.
- (4) The Clerk's Office staff will provide you with file location information and the information needed to retrieve case documents from the NARA (e.g., accession and box numbers).

(c) **Clerk's Office File Retrieval.** For a \$64.00 fee, the Clerk's Office will retrieve the case file from the NARA for the requester. For case file retrievals involving multiple boxes, the fee for the first box is \$64.00 and each additional box is \$39.00. To have an Intake Clerk order the file for you, complete and submit to the Clerk's Office a *Request for Court to Retrieve Material from the National Archives and Records Administration*. (See *Forms*, section 6.) Payment must be made before the Clerk's Office will request a file from the NARA.

(d) **Viewing Archived Files at the NARA.** Beginning October 1, 2011, archived files may no longer be reviewed at the NARA. The NARA will continue to provide public access to court records by mail, fax, telephone, or online.

- (1) Contact the General Information telephone number listed for the division where the case was originally filed to obtain the accession, box and NARA location number. (See *Quick Guide to the Court*, section 1.1.)

(e) **Obtaining Copies from the NARA.** To obtain a copy of the case file:

- (1) **By Mail or Fax:** To obtain a copy of the case file by mail or fax directly from the NARA, complete a *Request by Mail or Fax* form:
  - (A) The NARA will assess a separate charge for photocopies. (See *Forms*, section 6, for fees and forms.)
  - (B) The NARA does not accept telephone requests and will not accept mail or facsimile requests without payment. If paying by credit card, requesters may fax requests to the NARA at (951) 956-2029.

## Section 1 - General Court Information

- (2) By Telephone: The NARA does not accept telephone requests. For information, call (951) 956-2000, Monday through Friday, 9:00 a.m. to 2:30 p.m.
- (3) Online Requests: Go to <https://eservices.archives.gov/orderonline>, click on “*Order Reproductions*,” then “*Court Records*.”

(f) **NARA Mailing Address**. The mailing address for the NARA is:

National Archives and Records Administration  
Office of Regional Records Services –  
Pacific Region (Riverside County)  
23123 Cajalco Road  
Perris, CA 92570-7298

### 1.9 **Dockets and Claims Registers**

- (a) **The Docket**. A docket contains a chronological summary of all court proceedings and filed documents in each bankruptcy case and adversary proceeding. A claims register (sometimes called a claims docket) is a summary of claims filed in a bankruptcy case.
- (b) **To View a Case Docket or Claims Register**.
  - (1) Public Area Computers. You can view dockets and claims registers at computers located in the public areas of each division. There is no fee for this service.
  - (2) PACER. See *PACER*, section 5.3, to register for this Internet access to dockets, claims registers, case information, and images of many case file documents. There is a fee for this service.
  - (3) Intake Area Public Counter. If the docket or claims register is not accessible from the public area computer or PACER, check with the Intake staff at the public counter for assistance.
  - (4) Obtaining Copies. See *Obtaining Copies of Court Records*, section 1.12, for information about obtaining a copy of a docket or claims register by mail or fax.
  - (5) Cases Filed in 1991 or Later. Dockets and claims registers for cases filed on or after the following dates are available electronically through PACER or public area computers in each division.

Division	PACER Docket and Claims Register Availability for Cases Filed
Los Angeles	1995 or later
Riverside	On or after June 3, 1991
Santa Ana	On or after June 3, 1991
Northern	On or after June 1, 1992
San Fernando Valley	July 1996 or later

## 1.10 Hearing Information

(a) **Obtaining a Hearing Date.** To set a hearing date, first determine if the judge uses self-calendaring for the type of matter that is being scheduled. If self-calendaring does not apply, contact the courtroom deputy for the judge who is to hear the matter to obtain a hearing date, time, and location. (See *Appendix A*.)

(b) **Self-Calendaring.** The self-calendaring system is designed to enable counsel and parties to schedule hearing dates for matters heard on regular notice without having to contact the courtroom deputy to obtain a hearing date. All bankruptcy judges in all divisions of the court use self-calendaring to some degree. Self-calendaring instructions, types of matters that may be self-calendared, and hearing dates for each judge are posted on the court's website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> *Judges*.

**NOTE:** Self-calendaring must be used for electronically filed Motions for Relief from Stay.

(c) **Self-calendaring Information.** Self-calendaring information can also be accessed for all divisions by contacting the court's Call Center, at (855) 460-9641, and selecting Option #4.

(d) **Viewing the Court Calendar.**

- (1) The court calendar and tentative rulings (if issued by the judge) are available to the public on PACER and at computers in the public areas of each courthouse. (See *PACER*, section 5.3.)
- (2) Kiosks are available at the Los Angeles, Riverside, and San Fernando Valley divisions that display each judge's calendar and tentative rulings (when applicable).
- (3) Printed calendars for the current hearing date are posted outside of the judge's courtroom.

(e) **Making Special Hearing Arrangements.**

- (1) Telephonic and video conferencing may be available for parties who are not able to appear in the courtroom. Advance approval by the judge hearing the matter is required. (See *Teleconferencing*, section 5.4, and *Videoconferencing*, section 5.5.)
- (2) For persons with partial hearing loss, courtrooms are equipped with special headphones that are connected to the courtroom sound system. Prior to the hearing, contact the courtroom deputy to determine the availability of the equipment. (See *Appendix A*.)
- (3) Language or sign language interpreters may be provided by the court to assist parties in the courtroom. (See *Language and Sign Language Interpreters*, section 1.11.)

(f) **Obtaining a Transcript or Audio Recording of a Hearing.** Upon conclusion of a hearing, the public may request a transcript or audio recording of the hearing for a fee. (See *Audio Recordings of Court Proceedings Ordering Information*, section 1.14, and *Transcript Ordering Instructions*, section 1.15.) (Information regarding order forms may be found in this manual under section 6, *Forms*.)

## 1.11 **Language and Sign Language Interpreters**

(a) **Language Interpreters.** The United States government will pay for language interpreters in a court hearing only if the United States government initiates the hearing.

(b) **Sign Language Interpreters.**

- (1) The United States will pay for *sign language* interpreters in a judicial proceeding whether or not the proceeding is initiated by the United States.
- (2) To request approval for a sign language interpreter, at least three weeks prior to the hearing, contact the court's ADA Officer, Jennifer Wright at (213) 894-8894 or by email at Jennifer\_Wright@cacb.uscourts.gov to submit the following form: *Application to Provide Services to the Hearing Impaired*. (See *Appendix A*.)

(c) **Interpreters for § 341(a) Meeting of Creditors.** The United States Trustee provides a new telephone interpreter program available at § 341(a) meetings for virtually every language. Because the § 341(a) Meeting of Creditors is not a judicial proceeding, requests for a sign



language interpreter at these meetings must be made directly to the trustee assigned to the case. All requests should be made at least two weeks prior to the scheduled meeting. (See *Appendix C*.)

### 1.12 **Obtaining Copies of Court Records**

- (a) **Public Intake Counter.** The Intake Section at each division will provide copies of case file documents for a fee. Only the Intake Section can provide certified copies of case file documents. To request a copy, complete a *Document Request Form* and present it at the public counter.
- (b) **PACER.** See *PACER*, section 5.3, to register for Internet access to dockets, claims registers, case information, and images of many case file documents. There is a fee for this service.
- (c) **By Mail.** To request copies or certified documents by mail from the Clerk's Office, send a self-addressed, stamped envelope to the Intake/Correspondence Section at the appropriate divisional office. Include the following information with the request:
  - (1) Case number;
  - (2) Document title;
  - (3) Document number (if available);
  - (4) Your name, address, and telephone number; and
  - (5) Applicable fees.

### 1.13 **Obtaining Central District Bankruptcy Forms**

- (a) **Court's Website.** Many court forms, including complete petition packages with instructions, are available at no charge from the court's website at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) -> *Forms*. Most forms are in fillable format and can be printed from any computer with Internet access and Adobe Portable Document Format (PDF) Reader software. (A link to the Adobe website is also available on the court's website.)
- (b) **Intake Section.** A number of forms are available at no charge in the Public Information and/or Intake Section at each division. See *Forms*, section 6, for a list of these forms.

## 1.14 Audio Recordings of Court Proceedings Ordering Information

- (a) **Digital Technology.** The Bankruptcy Court for the Central District of California has converted the method used to record court hearings from an analog tape system to digital technology. The court has selected the *FTR Gold™* digital recording product, as it offers superior sound reproduction capability compared to the former tape process. (Forms are available at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> *Forms* -> *Other Forms*.)
- (b) **Audio Recordings.** Audio recordings of court proceedings requested for hearings held after an office converted to the new digital system will be provided on a compact disc (CD). Audio recordings of hearings held before implementation of the new system will continue to be provided in a cassette tape format. The cost of either one compact disc (CD) or one cassette tape is \$30.00 each.
- (c) **Audio Requests.** Audio requests provided on compact discs may be ordered in one of three formats, *FTR Gold*, *Windows Audio*, or *Audio CD* (the most generic format).
- (1) **FTR Gold.** This format must be played using *FTR Player Plus™* which is available at no charge on the *FTR Gold™* website at <[www.ForTheRecord.com](http://www.ForTheRecord.com)>. (Note the minimum system requirements as listed on the *FTR Gold™* website and the availability of separate downloads for various Windows products.) If audio is played using this software the user will be able to navigate through the recording by using the time references from the actual hearing. One day's hearings may be provided on one CD using this format.
- (2) **Windows Audio.** This format will play using the standard Windows Media Player software installed on most personal computers. One day's hearings may be provided on one compact disc (CD) using this format.
- (3) **Audio CD.** This generic format will play on most CD-R and CD-RW compatible players designed to play music and other audio programs. Select this option if the audio will be played in a vehicle or on a personal CD player. In addition, this is the only format which is compatible with Macintosh or Apple computers. *However, this format is not able to contain as much audio as the other two options. Compact discs formatted in this generic format will hold a maximum of 70 minutes of recordings.* For example, a 90-minute hearing provided in this format will be provided on two compact discs (CD) at a cost of \$60.00.

- (d) **Offices in the Central District converted to digital recording in 2004.** Should you have questions regarding digital recording, please contact the court's Call Center, at (855) 460-9641, and select Option #0, then Option #9.

### 1.15 **Transcript Ordering Instructions**

- (a) **Transcript Requests.** A separate form must be completed for each hearing date requested. The court does not accept transcript requests by fax, email or telephone. Transcript ordering instructions and PDF fillable order forms are available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) > *Information -> Transcripts*. The court's approved *Transcript Order Form* is the only form the court will accept. Four types of transcript orders are:

- (1) **Ordinary:** A transcript to be delivered within thirty (30) calendar days after receipt of the deposit.
- (2) **14 Days:** A transcript to be delivered within fourteen (14) calendar days after receipt of the deposit.
- (3) **Expedited:** A transcript to be delivered within seven (7) calendar days after receipt of the deposit.
- (4) **Daily:** A transcript to be delivered within 24 hours after receipt of the deposit.

**NOTE:** The **341(a) Meeting of Creditors is recorded by the Trustee.** The court does not keep or provide a copy of the recording. For **341(a) Recording Request Procedures**, visit the U.S. Trustee website ([www.justice.gov/ust/r16](http://www.justice.gov/ust/r16)).

- (b) **Transcript Processing.** The court does not transcribe court proceedings. When a *Transcript Order Form* is received, the court will forward the hearing information to the Transcription Service Provider that the ordering party designates on the *Transcript Order Form*. The Transcription Service Provider will contact the ordering party regarding receipt of the transcript. Thereafter, questions regarding a transcript order should be directed to the Transcription Service Provider. Transcripts cannot be picked up at the court. More information is available at [www.cacb.uscourts.gov/track-transcript-status](http://www.cacb.uscourts.gov/track-transcript-status).
- (c) **Transcript Costs/Forms of Payment.** The Transcription Service Provider will contact the ordering party directly regarding transcript costs and forms of payment. Rates may vary but may not exceed maximum charges set by the Judicial Conference of the United States (maximum rates are listed at [www.cacb.uscourts.gov/transcripts](http://www.cacb.uscourts.gov/transcripts)).

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- (d) **Submission.** Effective November 25, 2013, parties with an ECF account shall file the *Transcript Order Form* in CM/ECF on the related case docket using docket event, “*Transcript Order Form (Public Request)*.” Self-represented litigants and parties without an ECF account may hand-deliver or mail the Court’s *Transcript Order Form* to the division in which the matter was heard\*:

*DIVISION	ADDRESS
<b>Los Angeles (LA)</b> (855) 460-9641	United States Bankruptcy Court 255 E. Temple Street, Suite 940 Los Angeles, CA 90012 Attn: Transcript Orders (name of Judge who held the hearing)
<b>Northern (ND)</b> (855) 460-9641	United States Bankruptcy Court 1415 State Street Santa Barbara, CA 93101 Attn: Transcript Orders (name of Judge who held the hearing)
<b>Riverside (RS)</b> (855) 460-9641	United States Bankruptcy Court 3420 Twelfth Street Riverside, CA 92501 Attn: Transcript Orders (name of Judge who held the hearing)
<b>San Fernando Valley (SV)</b> (855) 460-9641	United States Bankruptcy Court 21041 Burbank Boulevard Woodland Hills, CA 91367 Attn: Transcript Orders (name of Judge who held the hearing)
<b>Santa Ana (SA)</b> (855) 460-9641	United States Bankruptcy Court 411 West Fourth Street Santa Ana, CA 92701 Attn: Transcript Orders (name of Judge who held the hearing)

### 1.16 **Mediation Program**

- (a) **Coordination.** The court, in cooperation with local bar associations, coordinates a mediation program to enable parties in a case to settle their dispute without going to court. Through mediation, cases may be resolved more quickly, at a lower cost, and to the parties’ mutual satisfaction, often without the stress and pressure of litigation. The program is governed by Second Amended General Order 95-01.
- (b) **Cases Eligible for Mediation Program.** Almost all controversies arising in an adversary proceeding, contested matter, or other dispute in a bankruptcy case are eligible for referral to the Mediation Program.
- (c) **How Cases are Assigned to the Mediation Program.** A judge assigns a case to mediation in one of three ways:

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- (1) At the request of the parties, by filling out a *Request for Assignment to Mediation Program form* and a related *Proposed Order Assigning Matter to Mediation and Appointing Mediator and Alternate Mediator*.
- (2) By order of the judge during the course of a court hearing.
- (3) By order of the judge outside the course of a court hearing.

### (d) **Who May be Appointed as a Mediator.**

- (1) Both attorneys and non-attorneys may serve on the Panel of Mediators. Individuals who want to serve on the Panel apply to the Administrator of the Mediation Program in response to a court-established deadline. After receiving court approval, mediators are appointed to the panel for a three-year term. Mediators must meet certain qualifications before they are appointed and must complete 30 hours of mediation training (unless excused by the court due to a sufficient amount of previous mediation training and experience).
- (2) Except in certain limited circumstances, mediators serve without pay (*pro bono*). If payment is requested, the mediator's compensation shall be on such terms as are satisfactory to the mediator and the parties and is subject to the prior approval of the judge if the estate is to be charged with the expense.

### (e) **How Cases Proceed in the Mediation Program.**

- (1) When the judge assigns a matter to the Mediation Program, a mediator and an alternate mediator are appointed. The parties are normally given the opportunity to select a mediator and an alternate mediator from a list (Panel of Mediators) provided by the court. If the parties cannot agree on a mediator, the judge will assign one. However, the judge may select and appoint a mediator and an alternate mediator without the parties' consent.
- (2) After selection, the mediator will contact the parties and arrange a time and a place to meet for a mediation conference. The parties must prepare a Mediation Statement 7 days prior to the meeting. This statement is **confidential** and is not filed with the court. No statements made in the Mediation Statement may be used for any purpose outside of the mediation conference. Mediation conferences are informal; the rules of procedure that apply in court are not used.
- (3) At the conclusion of the mediation conference, the mediator files Mediator's Certificate Regarding Conclusion of Mediation

## Section 1 - General Court Information

Conference (Form 706) with the court advising the judge whether the matter settled. If the parties reach a settlement, a document, providing details of the settlement, is prepared and filed with the court. The court must approve all agreements. If the parties cannot reach an agreement, the judge will hear the case in court.

- (f) **How to Learn More about the Mediation Program.** Mediation Program materials are available at no charge from the court's website, <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> Forms. They may also be purchased from the Intake Section at each division. (See *Obtaining Central District Bankruptcy Forms*, section 1.13, and section 6, *Forms*.) Materials available include:

Mediation Materials Available from the Court's Website
Bankruptcy Mediation Program Application
Bankruptcy Mediation Program Materials Addendum
Bankruptcy Mediation Program - Panel of Mediators - Biographical Information
Bankruptcy Mediation Program - Panel of Mediators - Contact Information
Bankruptcy Mediation Program - Panel of Mediators - Counties in Which Mediators are Authorized to Serve
Bankruptcy Mediation Program - Panel of Mediators - Foreign Languages Spoken
Bankruptcy Mediation Program - Panel of Mediators - Non-Attorney Professions
Bankruptcy Mediation Program - Procedures Manual

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Mediation Form Number	Description of Mediation Form
Form 701	Request for Assignment to Mediation Program; Order Thereon
Form 702	Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator [No Hearing Required]
Form 703	Notice of Mediator's or Alternate Mediator's Unavailability to Serve in Mediation Matter
Form 704	Notice of Request and Request for Appointment of Successor Mediator and/or Alternate Successor Mediator to Mediation Program
Form 705	Notice of Non-Compliance with Second Amended General Order No. 95-01 Governing Mediation Program
Form 706	Mediator's Certificate Regarding Conclusion of Mediation Conference
Form 708	Initial Mediation Confidentiality Agreement [Confidential - Not to be Filed with the Court]
Form 709	Mediator's Report of Mediation Conference [Confidential - Not to be Filed with the Court]
n/a	Notice of Entry of Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator and Certificate of Mailing

## Section 1 - General Court Information

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## **2 Filing Requirements and Procedures**

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### 2.1 Case Commencement (Bankruptcy Petition) Documents

- (a) **General Requirements [LBR 1002-1]** The following requirements must be met in order to file a voluntary petition and other case commencement documents with the court, either electronically or non-electronically, with the exception of chapter 9 and 15 (refer to section 2.1(c) regarding chapter 9 and section 2.1(g) regarding chapter 15). These are the **minimum** requirements for filing a chapter 7, 11, 12 or 13 Bankruptcy Case. A complete list of documents required to complete the filing and their corresponding deadlines are detailed in sections 2.1(a) through 2.1(g).
- (1) **Incomplete Case Commencement Documents.** A voluntary petition filed without the complete schedules, statements and other documents required by the FRBP **must** include at least the following:
- (A) Voluntary Petition (Official Form B1);
  - (B) List of Creditors Holding 20 Largest Unsecured Claims (Official Form B4) (chapter 11 cases only);
  - (C) Master Mailing List of Creditors in format required by section 2.3 of this Court Manual (when filing electronically, the List of Creditors **MUST ALSO** be uploaded in text **(.txt)** format after filing the petition);
  - (D) Statement of Social Security Number(s) (Official Form B21) (required if the debtor is an individual); and
  - (E) Electronic Filing Declaration (only for electronically filed petitions).
- (2) **Deadline to File Required Documents.** Unless extended by court order, the balance of the documents required by the FRBP must be filed within 14 days of the petition date, except the Statement of Intention in a chapter 7 case, which must be filed not later than 30 days after the filing of the petition.
- (3) **Debtor's Address.** If a petition is filed under 11 U.S.C. §§ 301, 302, 303, or 1504, the debtor's actual street address must be disclosed in addition to any post office box address.

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- (4) Attorney Information:
- (A) General. A voluntary petition filed pursuant to 11 U.S.C. §§ 301 and 302 by an attorney on behalf of any party must contain the attorney's state bar identification number, telephone number, fax number, and e-mail address in the attorney name block.
  - (B) Signature of Counsel. The name of the attorney signing a petition must be typed clearly below the signature line.
- (5) Divisions - Place of Filing [LBR 1071-1].
- (A) Filing of Petition. Unless otherwise ordered by the court, a petition commencing a case under the Bankruptcy Code must be filed in the "applicable division." The "applicable division" is determined by the location of the debtor's residence, principal offices, officers, and books and records, or where the majority of the debtor's assets are located based on a book value determination as set forth on the debtor's most current balance sheet. (Refer to *Appendix B* for the applicable division.)
  - (B) Filing of Documents Other Than Petition Case Commencement Documents. Documents other than a petition must be filed only in the divisional office of the clerk to which the relevant cases or proceeding has been assigned. However, the clerk may, by special waiver or upon order of the court, accept documents in any office of the clerk irrespective of the division.
- (6) Petition Forms. Complete petition packages with instructions are available at no charge from the court's website, <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> *Forms > Petition Forms*.
- (A) Case Commencement Documents Filed Electronically. A paper copy of any case commencement document filed electronically is not required to be served on the judge or provided to the court.

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### (b) Chapter 7 Commencement (Bankruptcy Petition) Documents.

- (1) **At a minimum, documents (A, B, C, and D), MUST BE FILED, when applicable, or the bankruptcy filing will not be accepted.**
- (A) Statement of Social Security Number(s) or Other Individual Taxpayer-Identification Number (ITIN(s)) (Official Form B21) this form requirement applies to individual debtors only. If filing electronically, see Court Manual section 3.6(b).
  - (B) Voluntary Petition (Official Form B1) - this completed form must be signed by the debtor(s).
  - (C) Electronic Filing Declaration - this form is required only for electronically filed bankruptcy cases.
  - (D) Master Mailing List of Creditors - this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-18.

**The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.**

- (E) Exhibit C to Voluntary Petition (Official Form B1, Exhibit C) this form is required only if the Exhibit C "yes" box is checked on page two of the Voluntary Petition.
- (F) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Official Form B1, Exhibit D) - **credit counseling MUST be completed BEFORE filing a bankruptcy case. Complete and sign this form.** This requirement may be waived by motion for determination by the court (see instructions on Exhibit D check box 4). This requirement applies to individual debtors only. If a joint petition is filed, each spouse must complete and file a separate Exhibit D.
- (G) Certificate of Credit Counseling – a certificate of credit counseling is issued by the credit counseling agency after

## Section 2 - Filing Requirements and Procedures

the debtor has completed a credit counseling course (see F above).

- (H) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed
- (I) Corporate Resolution Authorizing Filing of the Petition - this is not a form and is required only if the debtor is a corporation.
- (J) Corporate Ownership Statement (LBR 1007-4. CORP.OWNERSHIP.STMT) - this is required only if the debtor is a corporation (other than a government unit)[LBR 1007-4].
- (K) Statement of Related Cases (LBR Form F1015-2.1.STMT.RELATED.CASES)
- (L) Notice of Available Chapters (Official Form B201) - this form is required only for individuals whose debts are primarily consumer debts. [11 U.S.C. § 342(b)].
- (M) Summary of Schedules (Official Form B6 - Summary).

Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (page 2 of Official Form B6 - Summary) – this page of Official Form B6 is required only for individual debtors whose debts are primarily consumer debts.

- (N) Schedules A through J (Official Forms B6A, B6B, B6C, B6D, B6E, B6F, B6G, B6H, B6I, and B6J) – Individual and joint debtors must file Schedules A through J. Corporations and partnerships are required to file Schedules A, B, and D through H. If any of the applicable schedules do not apply, the debtor **MUST** note “NONE” on the form and file it with the other documents.
- (O) Declaration Concerning Debtor's Schedules (Official Form B6 - Declaration)
- (P) Statement of Financial Affairs (Official Form B7)
- (Q) Chapter 7 Individual Debtor's Statement of Intention (Official Form B8) - this form must be filed within 30 days from filing

## Section 2 - Filing Requirements and Procedures

of the bankruptcy case and is not required for corporations or partnerships. [11 U.S.C. § 521(a)(2)(A)].

- (R) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280) - this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents [11 U.S.C. § 110].
- (S) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer and Notice to Debtor by Non-Attorney (Official Form B19 pages 1 and 2) - this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents [11 U.S.C. § 110].
- (T) Disclosure of Compensation of Attorney for Debtor (Official Form B203) - this form is required when an attorney represents the debtor or prepared the bankruptcy filing documents.
- (U) Declaration Re: Limited Scope of Appearance Pursuant to LBR 2090-1 (LBR form F 2090-1.1.DEC.LTD.SCOPE) – this form is filed only if the debtor has agreed to pay an attorney a specific amount for a limited service.
- (V) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor(s) from any employer within 60 days before the filing of the bankruptcy case. Before filing the payment advices (pay stubs), debtors must blank out personal identifiers such as Social Security and tax payer identification numbers, bank account numbers, birth dates, and names of minor children.

The debtor(s) may use optional local form Debtor's Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv) to certify that they were self-employed or unemployed during the 60 days prior to the filing of the petition. This form can also be used to attach payment advices (pay stubs).

- (W) Chapter 7 Statement of Your Current Monthly Income (Official Form B 22A-1)
- (X) Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (Official Form B 22A-1 SUPP)

## Section 2 - Filing Requirements and Procedures

- (Y) Chapter 7 Means Calculation (Official Form B 22A-2)
- (Z) Verification of Master Mailing List of Creditors [LBR 1007-1(d)] (LBR form F 1007-1.MASTER.MAILING.VERIFICATION)
- (AA) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.DeBN ACTIVATION) - this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the [DeBN](#) program, instead of by U.S. mail.

### (c) Chapter 11 Case Commencement (Bankruptcy Petition) Documents.

- (1) **At a minimum, documents (A, B, C, D, and E), MUST BE FILED, when applicable, or the bankruptcy filing will not be accepted.**
  - (A) Statement of Social Security Number(s) (or Other Individual Taxpayer-Identification Number(s) (ITIN(s))) (Official Form B21) - this form requirement applies to individual debtors only. If filing electronically, see Court Manual section 3.6(b).
  - (B) Voluntary Petition (Official Form 1) - this completed form must be signed by the debtor(s).
  - (C) Electronic Filing Declaration - this form is required only for electronically filed bankruptcy cases.
  - (D) List of Creditors Holding the 20 Largest Unsecured Claims (Official Form B 4).
  - (E) Master Mailing List of Creditors - this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-18.

**The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and**



## Section 2 - Filing Requirements and Procedures

**the debtor's creditors will be able to resume collection activities.**

- (F) Exhibit "A" to Voluntary Petition (Official Form B1, Exhibit A)  
If the debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code, Exhibit "A" must be filed.
- (G) Exhibit C to Voluntary Petition (Official Form B1, Exhibit C)  
this form is required only if the Exhibit C "yes" box is checked on page two of the Voluntary Petition.
- (H) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Official Form B1, Exhibit D) - **credit counseling MUST be completed BEFORE filing a bankruptcy case. Complete and sign this form.** This requirement may be waived by motion for determination by the court (see instructions on Exhibit D check box 4). This requirement applies to individual debtors only. If a joint petition is filed, each spouse must complete and file a separate Exhibit D.
- (I) Certificate of Credit Counseling - a certificate of credit counseling is issued by the credit counseling agency after the debtor has completed a credit counseling course (see H above).
- (J) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.
- (K) Corporate Resolution Authorizing Filing of the Petition - this is not a form and is required only if the debtor is a corporation.
- (L) Corporate Ownership Statement (LBR form F 1007-4.CORP.OWNERSHIP.STMT) - this is required only if the debtor is a corporation (other than a government unit). [LBR 1007-4].
- (M) List of Equity Security Holders - required for corporations or partnerships if not included on Master Mailing List of Creditors. The List of Equity Security Holders must be in the

## Section 2 - Filing Requirements and Procedures

same format as specified in the *Requirements for Master Mailing List of Creditors* on page 2-18.

- (N) Statement of Related Cases (LBR form F 1015-2 1.STMT.RELATED.CASES)
- (O) Notice of Available Chapters (Official Form B201) - this form is required only for individuals whose debts are primarily consumer debts [11 U.S.C. § 342(b)].
- (P) Summary of Schedules (Official Form B6 - Summary).  
  
Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (page 2 of Official Form B6 - Summary) – this page of Official Form B6 is required only for individual debtors whose debts are primarily consumer debts.
- (Q) Schedules A through J (Official Forms B6A, B6B, B6C, B6D, B6E, B6F, B6G, B6H, B6I, and B6J) - Individual and joint debtors must file Schedules A through J. Corporations and partnerships are required to file Schedules A, B, and D through H. If any of the applicable schedules do not apply, the debtor **MUST** note “NONE” on the form and file it with the other documents.
- (R) Declaration Concerning Debtor's Schedules (Official Form B6 - Declaration)
- (S) Statement of Financial Affairs (Official Form B7)
- (T) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280) – this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].
- (U) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer and Notice to Debtor by Non-Attorney (Official Form B19 pages 1 and 2) - this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy case filing documents [11 U.S.C. § 110].
- (V) Disclosure of Compensation of Attorney for Debtor (Official Form B203) - this form is required when an attorney

## Section 2 - Filing Requirements and Procedures

represents the debtor or prepared the bankruptcy filing documents.

- (W) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor(s) from any employer within 60 days before the filing of the bankruptcy case. Before filing the payment advices (pay stubs), debtors must blank out personal identifiers such as Social Security and tax payer identification numbers, bank account numbers, birth dates, and names of minor children.

Debtor(s) may use the optional form Debtor's Certification of Employment Income Pursuant to 11 U.S.C. §521(a)(1)(B)(iv) to certify that they were self-employed or unemployed during the 60 days prior to the filing of the petition. This form can also be used to attach payment advices (pay stubs).

- (X) Chapter 11 Statement of Your Current Monthly Income (Official Form B 22B)
- (Y) Verification of Master Mailing List of Creditors [LBR 1007-1(d)] (LBR form F 1007-1.1.MASTER.MAILING.VERIFICATION)
- (Z) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1 DeBN.ACTIVATION - this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the [DeBN](#) program, instead of by U.S. mail.

### (d) Chapter 12 Case Commencement (Bankruptcy Petition) Documents

- (1) **At a minimum, documents (A, B, C, and D) ***MUST BE FILED***, when applicable, or the bankruptcy filing will not be accepted.**
  - (A) Statement of Social Security Number(s) (or Other Individual Taxpayer- Identification Number (ITIN(s))) (Official Form B21) this form requirement applies to individual debtors only. If filing electronically, see Court Manual section 3.6(b).
  - (B) Voluntary Petition (Official Form 1) - this completed form must be signed by the debtor(s).

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- (C) Electronic Filing Declaration - this form is required only for electronically filed bankruptcy cases.
- (D) Master Mailing List of Creditors - this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-18.

**The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.**

- (E) Exhibit C to Voluntary Petition (Official Form B1, Exhibit C) this form is required only if Exhibit C "yes" box is checked on page two of the Voluntary Petition.
- (F) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Official Form B1, Exhibit D) **credit counseling MUST be completed BEFORE filing a bankruptcy case. Complete and sign this form.** This requirement may be waived by motion for determination by the court (see instructions on Exhibit D check box 4). This requirement applies to individual debtors only. If a joint petition is filed, each spouse must complete and file a separate Exhibit D.
- (G) Certificate of Credit Counseling - a certificate of credit counseling is issued by the credit counseling agency after the debtor has completed a credit counseling course (see F above).
- (H) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.
- (I) Statement of Related Cases (LBR form F 1015-2.1.STMT.RELATED.CASES)

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- (J) Notice of Available Chapters (Official Form B201) this form is required only for individuals whose debts are primarily consumer debts [11 U.S.C. § 342(b)].
- (K) Summary of Schedules (Official Form B6 Summary)  
Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (page 2 of Official Form B6 - Summary) – this page of Official Form B6 is required only for individual debtors whose debts are primarily consumer debts.
- (L) Schedules A through J (Official Forms B6A, B6B, B6C, B6D, B6E, B6F, B6G, B6H, B6I, and B6J) – If any of the schedules do not apply, the debtor **MUST** note “NONE” on the form and file it with the other documents.
- (M) Declaration Concerning Debtor's Schedules (Official Form B6 - Declaration)
- (N) Statement of Financial Affairs (Official Form B7)
- (O) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280) – this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].
- (P) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer and Notice to Debtor by Non-Attorney (Official Form B19 pages 1 and 2) - this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents. [11 U.S.C. § 110].
- (Q) Disclosure of Compensation of Attorney for Debtor (Official Form B203) this form is required only when an attorney represents the debtor or prepared the bankruptcy filing documents.
- (R) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor(s) from any employer within 60 days before the filing of the bankruptcy case. Before filing the payment advices (pay stubs), debtors must blank out personal identifiers such as Social Security and tax payer identification numbers, bank account numbers, birth dates, and names of minor children.

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Debtor(s) may use optional form Debtor's Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv) to certify that they were self-employed or unemployed during the 60 days prior to the filing of the petition. This form can also be used to attach payment advices (pay stubs).

- (S) Chapter 12 Plan. **Must be filed within 90 days from the date the bankruptcy petition is filed.** [11 U.S.C. § 1221]
- (T) Verification of Master Mailing List of Creditors [LBR 1007-1(d)] (LBR form F1007-1.MASTER.MAILING.VERIFICATION).
- (U) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1 DeBN ACTIVATION) – this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the [DeBN](#) program, instead of by U.S. mail.

### (e) Chapter 13 Case Commencement (Bankruptcy Petition) Documents

- (1) **At a minimum, documents (A, B, C, and D) ***MUST BE FILED***, when applicable, or the bankruptcy filing will not be accepted.**
  - (A) Statement of Social Security Number(s) (Official Form B21) this form requirement applies to individual debtors only. If filing electronically, see Court Manual section 3.6(b).
  - (B) Voluntary Petition (Official Form 1) - this completed form must be signed by the debtor(s).
  - (C) Electronic Filing Declaration - this form is required only for electronically filed bankruptcy cases.
  - (D) Master Mailing List of Creditors - this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-18.

**The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within**

## Section 2 - Filing Requirements and Procedures

**14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.**

- (E) Exhibit C to Voluntary Petition (Official Form B1, Exhibit C) this form is required only if Exhibit C "yes" box is checked on page two of the Voluntary Petition.
- (F) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Official Form B1, Exhibit D) - **credit counseling MUST be completed BEFORE filing a bankruptcy case. Complete and sign this form.** . This requirement may be waived by motion for determination by the court (see instructions on Exhibit D check box 4). This requirement applies to individual debtors only. If a joint petition is filed, each spouse must complete and file a separate Exhibit D.
- (G) Certificate of Credit Counseling - a certificate of credit counseling is issued by the credit counseling agency after the debtor has completed a credit counseling course (see F above).
- (H) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.
- (I) Statement of Related Cases (LBR Form F 1015-2.1.STMT.RELATED.CASES)
- (J) Notice of Available Chapters (Official Form B201) - this form is required only for individuals whose debts are primarily consumer debts [11 U.S.C. § 342(b)].
- (K) Summary of Schedules (Official Form B6 - Summary).

Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (page 2 of Official Form B6 - Summary) – this page of Official Form B6 is required only for individual debtors whose debts are primarily consumer debts.

- (L) Schedules A through J (Official Forms B6A, B6B, B6C, B6D, B6E, B6F, B6G, B6H, B6I, and B6J) – If any of the



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schedules do not apply, the debtor **MUST** note “NONE” on the form and file it with the other documents.

- (M) Declaration Concerning Debtor's Schedules (Official Form B6 - Declaration)
- (N) Statement of Financial Affairs (Official Form B7).
- (O) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280) – this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].
- (P) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer and Notice to Debtor by Non-Attorney (Official Form B19 pages 1 and 2) - this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy case filing documents [11 U.S.C. § 110].
- (Q) Disclosure of Compensation of Attorney for Debtor (Official Form B203) - this form is required only when an attorney represents the debtor or prepared the bankruptcy filing documents.
- (R) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor(s) from any employer within 60 days before the filing of the bankruptcy case. Before filing the payment advices (pay stubs), debtors must blank out personal identifiers such as Social Security and tax payer identification numbers, bank account numbers, birth dates, and names of minor children.

Debtor(s) may use optional form Debtor's Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv) to certify that they were self-employed or unemployed during the 60 days prior to the filing of the petition. This form can also be used to attach payment advices (pay stubs).

- (S) Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Official Form B 22C-1)
- (T) Chapter 13 Statement of Your Disposable Income (Official Form B 22C-2).



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- (U) Chapter 13 Plan (LBR form F 3015-1.01.CHAPTER13.PLAN)
- (V) Verification of Master Mailing List of Creditors [LBR 1007-1(d)] ((LBR form F 1007-1.MASTER.MAILING.VERIFICATION)
- (W) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1 DeBN. ACTIVATION) – this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the [DeBN](#) program, instead of by U.S. mail.

### 2.2 Incomplete Case Commencement Filings

- (a) **Deficient Filings.** Filing of a petition or other document is considered deficient if the document:

- (1) Does not comply with either the *FRBP* or the *LBRs*.
- (2) Is submitted with insufficient funds or paid in a method not accepted by the court. (See *Fee Acceptance Policy*, section 2.4(b).)

- (b) **Emergency Filings.**

- (1) Emergency case commencement or other filings, before and after regular business hours, are handled by Clerk's Office staff on a case-by-case basis. Some examples of what the Clerk's Office considers to be legitimate requests for emergency filings include:
  - 1. Petitioner is involved in a pending sale or foreclosure;
  - 2. Unlawful detainer order;
  - 3. Wage garnishment;
  - 4. Expedited hearings on shortened notice (e.g., Ex Parte Motion); and
  - 5. Unusually large volume of documents (e.g., mega case documents).
- (2) Approval for an emergency filing must be coordinated with the Intake Supervisor or other court official. For more information, call:

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Division	Telephone Number
Los Angeles	(213) 894-8401
Riverside	(951) 774-1102
Santa Ana	(714) 338-5330
Northern	(805) 884-4875
San Fernando Valley	(818) 587-2860

### 2.3 Requirements for Master Mailing List of Creditors [LBR 1007-1]

A Master Mailing List of Creditors, with the names and addresses of the creditors, must be filed in all bankruptcy cases and must be submitted in the following format (see Exhibit 1, Example of Format for Master Mailing List on the next page):

1. Typed on **blank**, unlined, standard white 8-1/2 x 11 inch medium weight paper using **uppercase** and **lowercase** letter quality fonts, no smaller than **10 point** nor greater than **14 point**, in either Arial, Calibri, Cambria, Courier, Times New Roman, Helvetica, Geneva, or Letter Gothic.
2. Typed in a single column with no letters closer than 1-1/2 inches from any edge of the paper and left justified;
3. Typed with no more than **8 name/address blocks per page**. Each block must consist of no more than **4 lines total for each** name/address with at least **2 blank lines** in between;
4. Master Mailing List pages must list the creditors from schedules D, E, and F of the bankruptcy case filing. Use as many pages as needed. **Do not include** the debtor, joint debtor, U.S. Trustee, Internal Revenue Service, or Franchise Tax Board on the Master Mailing List.
5. Each line can be no more than 35 characters in length including spaces. The **attention line**, if any, must be included on the **second line** of the block. **DO NOT INCLUDE ACCOUNT NUMBERS**. The **city, state (2-letter abbreviation in capital letters only, e.g., CA), and zip code** must be on the last line. Nine-digit zip codes should be separated by a hyphen. (See *Exhibit 1*.)
6. Do not use punctuation, except for one comma between city and state (for example Los Angeles, CA 90012).
7. If a separate Equity Holders List is filed, it must comply with the above format requirements.

*Exhibit 1*

**Example of Format for Master Mailing List of Creditors**

Acme Auto Repair  
1234 S Street  
Los Angeles, CA 90005

Acme Hair Repair  
Attn Herman  
1234 S Ave  
Los Angeles, CA 90005-0001

Acme Dental Clinic  
745 Tungsten Boulevard  
Hollywood, CA 90027

Acme Talent Agency  
421 N Copper Canyon Way  
Burbank, CA 91505-0002

Loans By Acme  
7485 Chromium Circle  
Beverly Hills, CA 90210

Acme And Sons Insurance  
Attn D Acme  
13363 Hierro Street Suite 25  
Van Nuys, CA 91401

Acme Bar and Grill  
114 Aluminum Alley  
Chatsworth, CA 91313

### 2.4 Filing Fees

- (a) **Fee Schedule**. For a list of current filing fees, refer to the Quick Guide to the Court in section 1.1.
- (b) **Fee Acceptance Policy**. The Bankruptcy Court will accept cash, U. S. Postal Service money orders, cashier's checks from an acceptable financial institution, attorney or law firm checks (payable to the U. S. Bankruptcy Court) and American Express, Discover, MasterCard, and VISA for payment of fees. Credit card transactions must be made in person by the cardholder; however, this does not apply to electronically filed documents. The court does not accept personal checks or credit cards from debtors to pay fees. All attorney/law firm checks must include a current pre-printed name, street address, telephone number, and California attorney bar number.

### 2.5 Documents Filed After Case Commencement [LBR 5005-2; LBR 9004-1]

- (a) **Copies Required**. The following copy requirements apply for documents filed after filing the petition and other case commencement documents.
  - (1) **Documents Electronically Filed**. The only copy that may be required is a judge's copy. Please refer to *Judge's Copies*, section 3.5(b) and Appendix F of this Court Manual. Appendix F contains a list of filed documents that are not required to be served upon the judge.
  - (2) **Documents Not Electronically Filed**.
    - (A) **Judge's Copy**. Refer to *Appendix F* to see if a Judge's copy is required. If a Judge's copy is required, one copy that contains a "Filed" stamp on page one of the document should be marked as "*Judge's Copy*" and must comply with sections 2.5 and 3.5(b), and be served according to sections 3.5(b) and Appendix F.
    - (B) **Conformed Copy for You**. If you file a document in person at the intake window, please bring an extra set if you wish to take a conformed copy back with you. Or, if you wish to have a conformed copy mailed to you, you must include an additional copy and a self-addressed stamped envelope with sufficient postage to cover the cost of mailing the conformed copy.

## Section 2 - Filing Requirements and Procedures

(b) **Form and Format of Documents.** Unless otherwise expressly provided by the LBRs or section 3.5 of this Court Manual, a paper document filed or lodged with the court and any exhibit hereto must comply with the following form and format requirements:

(1) **Legibility.** A paper document submitted for filing must be typewritten, legibly printed if prepared by hand, computer generated, or prepared by a photocopying or other duplicating process that will produce clear and permanent copies equally legible to printing, in black or dark blue ink.

(2) **Paper.**

(A) **Size and Quality.**

(i) **Documents Filed Electronically.** Individual pages of documents shall not exceed 8.5 X 11 inches. A CM/ECF User should check the page size prior to attempting to upload the PDF in the CM/ECF system. PDF files with pages exceeding the 8.5 X 11 inch limit must be modified before uploading. See section 3.5(d) of this Court Manual.

(ii) **Documents Filed at Intake Window.** The original paper document must be submitted on paper that is opaque, unglazed, 8.5 by 11 inches in size, not less than 20 pounds in weight, and capable of producing a good quality image when scanned using the court's equipment and software. Coated, glossy, bond, card stock, onion skin, lightweight or oversized paper can cause paper jams and may not be used.

(B) **Numbered Margins.**

(i) **Required.** Numbered margins are required for documents generated by a party, such as a motion, response, reply, declaration, stipulation, adversary complaint, etc. The paper must be numbered on the left margin with not more than 28 lines per page. The lines on each page must be numbered consecutively.

(ii) **Not Required.** Numbered margins are not required on court- approved forms. They are also not required on exhibits filed in support of a motion, response, reply, declaration, etc.

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- (C) Typeface. The typeface must not be smaller than 12 point unless it is in a petition package or other court-approved form. As an example, this is 12-point type. Required typefaces are Arial, Courier, Times New Roman, Helvetica, Geneva or Letter Gothic. Font sizes smaller than 12 point may not be legible after imaging and must not be used. Line 1 must begin at least 1 inch below the top edge of the paper.
- (D) Interlineation. No interlineation is allowed on a document unless the interlineations are noted by the clerk or the judge by marginal initials at the time of the filing.
- (E) Print on One Side Only. All pages of each document (including exhibits) must be printed on only one side of the paper. Two sided exhibits must be copied and filled with text print on one side of each page. Any document larger or smaller than an 8.5 X 11 inch size must be reduced or enlarge to be 8.5 X 11 inch.
- (F) Spacing. Except as provided herein, the typing or printing on documents must be double-spaced, including citations. Footnotes may be single-spaced but the font must not be less than 12 point. Real property descriptions may be single-spaced. Quotations from cited cases or other authorities must be clearly indented not less than 5 spaces or more than 20 spaces and may be single-spaced if the quotation is 50 or more words.
- (G) Page Numbering at Bottom of Pages. All documents must be numbered consecutively at the bottom of each page, including any attached exhibits. A reference to an exhibit in a document must include the consecutive page numbers of the exhibit.
- (H) Identifying and Separating Exhibits and Other Attached Documents.
  - (i) Identification.
    - I. Declarations. It should be clear from the label or tab who is the declarant.
    - II. Exhibits. Exhibits must be placed in sequential order. Whenever feasible, exhibits of plaintiffs or movants must be marked with numbers, and exhibits of defendants or respondent must be marked with letters.

## Section 2 - Filing Requirements and Procedures

### (ii) Separation.

#### I. Original Document to be Filed.

- (aa) Documents Electronically Filed. The version of each declaration, exhibit or other attachment that is filed electronically via CM/ECF must be separated by a separator sheet that contains a label identifying the declaration, exhibit or other attachment.
- (bb) Documents Not Electronically Filed. Each declaration, exhibit, or other attachment to an original of a document must be separated by a separator sheet printed on white, letter size (8½ x 11 inches), unglazed, opaque, paper of medium weight. Unless the physical nature of the exhibit makes it impracticable, an exhibit, declaration or other attachment must be securely bound with a binder clip or clamp to the document to which it relates.

- II. Judge's Copy. Each declaration, exhibit or other attachment to a Judge's copy must be tabbed and bound to the main document.

### (3) Originals, Copies, Telecopies, and E-mails.

- (A) Documents Electronically Filed. The original of any document that is filed electronically via CM/ECF, including the original signature of the attorney, party, or declarant, must be maintained by the filing party for 5 years after the conclusion of the case, including any applicable appeal period, subject to being produced upon reasonable notice.
- (B) Documents Filed at Intake Window. The original of a paper filed at the clerk's office intake window must be labeled as the original and, except for exhibits, must consist entirely of the original pages, except that a telecopy or email of all or part of a document (or copy of such telecopy or email) may be filed and served instead of the original of a document, provided that the telecopy or email meets the legibility requirement set forth in subsection (b)(1) of this rule.

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- (4) Assembly of Documents Not Electronically Filed. Original documents and a Judge's copy must be assembled in compliance with the following guidelines, to allow for scanning by court staff:
- (A) Multi-Paged Originals. When a document is filed at the intake window, original multi-page documents must not be hole punched or bound by staples, prong fasteners or standard metal or plastic paper clips that puncture the paper. Original multi-page documents must be bound at the top left corner with binder clips or clamps. A paper presented for filing must be flat and unfolded to facilitate scanning.
  - (B) Conformed Copies. As a general rule, the clerk's office will conform and return one copy of a document to the filing party. The copies must not be attached to the original documents.
  - (C) Judge's Copy. A Judge's copy of multi-page documents must be fastened with a single staple in the upper left-hand corner or otherwise bound.
  - (D) Binding. Documents must not be "blue-backed" or otherwise bound. A transcript must be unbound and fastened with a binder clip prior to filing.

(c) **Caption and Format of Title Page.**

- (1) Adversary Proceedings. A complaint, transcript or other document filed in an adversary proceeding must bear a "double caption" in substantially the following format:

In re ABC,	)	Case No. _____
	)	
Debtor.	)	Chapter _____
_____	)	
	)	
XYZ Co.,	)	Adv. No. _____
Plaintiff,	)	
	)	
	)	COMPLAINT TO DETERMINE
	)	NONDISCHARGEABILITY OF DEBT
vs.	)	
	)	
ABC,	)	
Defendant,	)	(Hearing date to be set by summons)



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- (2) Small Business Cases. A document filed in a case that has been designated a small business case under FRBP 1020 must bear a legend stating that the case is subject to FRBP 1020. The legend must appear to the right of the caption immediately below the case number in substantially the following format:

In re ABC,	)	Case No. _____
	)	
	)	Chapter _____
Debtor.	)	
	)	SMALL BUSINESS CASE UNDER
	)	FRBP 1020
_____	)	

- (3) The First Page of a Document to be Filed or Lodged Must Include:

- (A) Attorney. The name, state bar identification number, law firm name, address, telephone number, fax number, and e-mail address, if any, of the attorney presenting the document for filing must be displayed commencing with line 1 at the left margin. If the party is not represented by counsel, the name, address, telephone number, fax number, and e-mail address, if any, of the party presenting the document for filing must be displayed commencing with line 1 at the left margin. The actual street address must be disclosed in addition to any post office box address. Immediately beneath, the party on whose behalf the document is presented must be identified. This information must be single-spaced.
- (B) Clerk's Space. The space between lines 1 and 7 to the right of the center of the page must be left blank for use by the clerk.
- (C) Title of Court. The title of the court, including the division, must be centered on or below line 8.
- (D) Names of Parties. The names of the parties must be placed below the title of the court and to the left of center and single-spaced. If the parties are too numerous, the names may be continued on the second or successive pages in the same space. In an adversary proceeding, for all documents filed after the complaint or other document that names a new party, only the names of the first-named

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party on each side need appear; and, if lengthy, those names may be abbreviated.

- (E) Bankruptcy Case Number. The bankruptcy case number must be placed to the right of the center of the page immediately opposite the names of the parties on the first page. Case numbers must be consistent with the following example: 1:05-bk-12345-MT, with the first number being the location of the division in which the case was filed (e.g., San Fernando Valley: 1, Los Angeles: 2, Riverside: 6, Santa Ana: 8, Santa Barbara: 9), the two numbers after the colon representing the last two digits of the year in which the case was filed, a two-character case type (bk for bankruptcy case, ap for adversary case) and the third set of numbers following the first dash representing the 5-digit case number followed by the initials of the bankruptcy judge assigned to the case.
  - (F) Chapter Number. The chapter number of the case must appear immediately below the case number.
  - (G) Adversary Number. The adversary number, if any, must appear immediately below the case number and chapter number (e.g., 2:05-ap-02345-AA).
  - (H) Title. On the first page immediately below the adversary or chapter number or the caption, there must be a concise title of the document (e.g., Notice of Motion for Summary Judgment, Complaint To Determine Dischargeability of Debt). When a document contains multiple pleadings (for example, an answer to a complaint and a counterclaim or cross claim), all pleadings contained in the document must be listed in the caption. Where possible, the proponent's name should be included in the title of the document (e.g., Creditor ABC's Motion to Dismiss).
  - (I) Hearing. The time, date, and place of the hearing on the matter to which the document is addressed must appear immediately below the title or, if appropriate, a statement that no hearing is required or that a hearing will be scheduled by the court. All information required in subsections (c)(5) through (9) of this rule must always appear on the first page of the document.
- (d) **Commencing an Adversary Proceeding**. On September 23, 2013, the court implemented an automated process for issuing a completed Summons (or Alias Summons) and Notice of Status Conference (Summons) in an adversary proceeding. Therefore, notwithstanding LBR

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7004-1(a), under this new automated process, plaintiffs do not need to lodge a proposed form of Summons in order to have a Summons or an Alias Summons issued in an adversary proceeding. The court will prepare the required Summons or Alias Summons. Plaintiffs who are registered CM/ECF users will receive an issued Summons or Alias Summons electronically (by Notice of Electronic Filing – NEF). Plaintiffs who are not registered CM/ECF users will receive a hard copy of the issued Summons or Alias Summons by U.S. Mail. LBR 7004-1(a) will be revised in the future to accommodate these changes.

- (e) **Summons for Involuntary Petitions, Cross-Claims, Counter-Claims and Third-party Claims.** The plaintiff is responsible for preparing the summons to be signed and issued by the clerk.

### 2.6 **Proof of Claim**

- (a) **Filing a Proof of Claim.** In the event that a distribution of assets in a bankruptcy case is likely, parties must obtain their own proof of claim form because the court no longer mails a *Proof of Claim* form with the § 341(a) Meeting of Creditors notice.
- (1) **Proof of Claim Forms are Available:**
- (A) At no cost, in all divisions of the court;
  - (B) In fillable format on the court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) *Forms ->Proof of Claim Forms*;
  - (C) By mail. Send your request in writing to the Intake Section in the appropriate divisional office. The court will mail you a *Proof of Claim form*; and
  - (D) By phone. Contact the Intake Section in the appropriate divisional office. The court will mail you a *Proof of Claim form*.
- (2) **Additional forms that may be filed with a *Proof of Claim form*.** Three new forms related to proofs of claim were introduced in December 2011:
- (A) **Mortgage Proof of Claim Attachment form.** If you file a claim secured by a security interest in the debtor's principal residence, you **must** use this form as an attachment to your *Proof of Claim* form. This form is

## Section 2 - Filing Requirements and Procedures

available in fillable format on the court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>Forms/Rules/General Orders ->Proof of Claim Forms, **Attachment A**.

- (B) Notice of Mortgage Payment Change form. If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you **must** use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your *Proof of Claim* form **at least 21 days before** the new payment amount is due (see FRBP 3002.1). This form is available in fillable format on the court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>Forms/Rules/General Orders ->Proof of Claim Forms, **Supplement 1**.
- (C) Notice of Postpetition Mortgage Fees, Expenses, and Charges form. If you hold a claim secured by a security interest in the debtor's principal residence, you **must** use this form to give notice of any postpetition fees, expenses, and charges that you assert are recoverable against the debtor or against the debtor's principal residence. File this form as a supplement to your *Proof of Claim* form (see FRBP 3002.1). This form is available in fillable format on the court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>Forms/Rules/General Orders ->Proof of Claim Forms, **Supplement 2**.
- (3) Instructions/Definitions. Instructions for completing a *Proof of Claim* and related definitions are located on the back of the *Proof of Claim* form. To receive a "filed" stamped copy of the *Proof of Claim*, provide a copy of the claim at the time of filing along with a self-addressed, stamped envelope.
- (4) Where to File. The *Proof of Claim* should be filed at the division where the bankruptcy case is pending. A completed *Proof of Claim* can be electronically filed through CM/ECF by registered users. For parties not represented by an attorney, a completed *Proof of Claim* may be mailed to the division (see *Quick Guide to the Court*, section 1.1, or *Appendix A* for division addresses), or filed at the Intake window during court hours.
- (5) Fee. There is no fee to file a *Proof of Claim* form.

## 2.7 **Multiple Objections to Claims Calendar**

(a) **General Procedure for Filing More than 20 Objections to Claims.**

- (1) Pursuant to LBR 3007-1(a)(5), if more than 20 objections to claims are noticed for hearing on a single calendar, the objector must submit a Multiple Objections to Claim Calendar.
- (2) A Portable Document Format (.pdf) version of the calendar listing (see Exhibit 4 for a list of the requirements) including a cover page (see Exhibit 5) must be electronically filed via the CM/ECF system. The calendar listing (see Exhibit 6) should be organized by type of objection and should specify the following information for each claim in order of claim number or alphabetical order:
  - (A) The claims docket number;
  - (B) The claimant's name;
  - (C) The amount of the claim;
  - (D) The basis for the objection; and
  - (E) The portion of the claim subject to the objection (*if different from the total amount of the claim*).

- (b) **Exception to General Procedure.** Many judges have their own procedure. Please consult the judge's section of the court's website at [www.cacb.uscourts.gov/Information](http://www.cacb.uscourts.gov/Information) for specific requirements (if any) and/or call the courtroom deputy for the particular judge. Telephone contacts are located in *Appendix A* of this Court Manual.

*EXHIBIT 4*

**Calendar Format**

The calendar must be submitted in the following format:

1. Typed on a 8-1/2" x 11" page using uppercase and lowercase letter quality characters using Courier 10-point font.
2. The document must contain a header on the first page only as follows:

			<i>(if applicable)</i> <u>Portion of Claim</u>	
<u>Claim</u> <u>Number</u>	<u>Claimant Name</u>	<u>Claim Amount</u>	<u>Basis for</u> <u>Objection</u>	<u>Subject to</u> <u>Objection*</u>

3. The claimant information must be typed with no more than 10 claims blocks per page. In cases where the claimant name is longer than the allowed 20 characters, the name should be continued on the next line.
4. Each line of the text must contain no more than 75 characters maximum and should not extend within one-half inch of any edge of the page.
5. Each block must consist of no more than 4 lines with at least 1 blank line between each.
6. The document must contain the original amount of the claim and, if different from the total amount of the claim, the portion of the claim subject to the objection.
7. The document must have a cover page containing the Case Name, Case Number, Title of Pleading, Hearing Date, Hearing Time, and Judge. Please see examples in *Exhibits 5* and *6*.

\*If different from the total amount of the claim.

*EXHIBIT 5*

**Sample Cover Page for Multiple Objections to Claim**

Advent Development Corp.

LA 98-10000-BB

Hrg RE:                      Trustee's Motion to Disallow Claim of Andrews Adjustment  
Service for Insufficient Documentation

Hearing Date:              September 30, 2002

Hearing Time:              2:00 PM

Judge:                        Hon. Sheri Bluebond

*EXHIBIT 6***Sample Calendar Listing For Multiple Objections to Claims**

Claim Number	Claimant Name	Claim Amount	Basis of Objection	(If applicable) Portion of Claim Subject to Objection
<u>PRIORITY</u>				
101	Dept. of Treasury- IRS	\$62,000.00	Duplicate Claim	
124	Jones & Smith, a Legal Corp.	\$45,987.00	Late Claim	
149	State of Calif.- Franchise Tax Board	\$3,200.00	Duplicate Claim	
<u>SECURED</u>				
102	Security Western National Bank, Inc.	\$8,885.00	Duplicate Claim	
129	Reliable Credit Services	\$6,895.00	Disputed Amt.	5,000.00
<u>UNSECURED</u>				
135	America Online	\$389.00	Late Claim	
170	Pacific Bell	\$1,034.00	Duplicate Claim	
178	Gordon Industries	\$5,900.00	Disputed Amt.	\$1,200.00
181	American Express Financial Serv.	\$14,000.00	Duplicate Claim	
202	Sears	\$6,123.00	Late Claim	
284	FMAC	\$548,000.00	Disputed Amt.	\$8,000.00



## 2.8 Miscellaneous

- (a) **Privacy Policy [LBR 1002-1(e)]**. The Judicial Conference of the United States approved amendments to the FRBP, which implement the judiciary's privacy policy, effective December 1, 2003. It is the responsibility of the filing party, **not the Clerk's Office**, to ensure compliance with this policy.
- (1) Filers should redact "personal identifiers" from documents filed with the court, including attachments. "Personal identifiers" are considered to be the following:
- (A) Social Security Numbers. If an individual's Social Security number (SSN), or Individual Tax Payer Identification Numbers (ITIN) must be included in the document, only the last four digits of that number should be used. However, the debtor is required to submit a *Statement of Social Security Number(s)* containing their full nine-digit SSN or ITIN at the time his/her petition is filed. This form is not part of the public case file. On all other forms and documents, only the last four digits of the SSN or ITIN should be used;
  - (B) Financial Account Numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used;
  - (C) Dates of Birth. If an individual's date of birth must be included in the document, only the year should be used; and
  - (D) Names of Minor Children. If the name of a minor child must be mentioned, only the initials of that child should be used.
- (2) The privacy policy applies to all documents filed with the court, whether submitted by electronic means or submitted non-electronically. The policy is not retroactive.
- (3) A full copy of the policy can be found on the Judiciary Privacy Policy Page at <[www.privacy.uscourts.gov](http://www.privacy.uscourts.gov)> under "Judiciary Privacy Policy."

## Section 2 - Filing Requirements and Procedures

- (b) **Filing Documents Under Seal [LBR 5003-2(c)]**. No documents may be presented to the court for filing under seal unless and until the court has granted a motion authorizing the filing of such documents under seal. **All motions for authority to file documents under seal must be filed electronically, if the filer is an attorney.**
- (1) The motion should include as exhibits, or in a separate appendix also filed electronically, the documents that the movant seeks to file under seal **with the confidential portions redacted**; provided, however, that, if the documents are voluminous, the motion may be accompanied by a declaration under penalty of perjury to this effect and a schedule of the documents that movant seeks to file under seal.
- (2) The motion must describe the nature of the information that the party asserts is confidential (without disclosing the confidential information itself) and explain why the information should not be publically disclosed. If and when the court grants the motion for authority to file documents under seal, unredacted versions of the documents, together with an entered copy of the order authorizing the sealed filing, should be presented for filing under seal in the manner directed by the court in its order authorizing the filing under seal.
- (c) **Reopening a Bankruptcy Case [LBR 5010-1]**. The following table outlines the court's policy for reopening a bankruptcy case. This table may be used to determine if a case must be reopened and whether or not a fee is required. If it is required that a case be reopened, a motion and order must be submitted to the court. The order reopening the case must be entered before the subsequent documents can be filed.

Adversary Proceedings Filed in a Closed Case		Reopen Main Case	Collect Fee to Reopen Main Case?
1.	§ 523 adversary proceeding	No	No [FRBP 4007(b)]
2.	§ 727(d) adversary proceeding	Yes	No [28 U.S.C. § 1930]
3.	File an adversary proceeding or motion to remedy an alleged violation of the discharge	No	No [28 U.S.C. § 1930]
4.	Other adversary proceedings	Yes	Yes (unless related to discharge)

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Motions/Other Documents Filed in a Closed Case		Reopen Main Case	Collect Fee to Reopen Main Case?
1.	File a § 522(f) Motion to Avoid Lien	Yes	Yes
2.	File a § 362(d) Motion to Annul Stay	Yes	Yes
3.	Motion to Reopen Case to seek additional assets or to reappoint a trustee to investigate or administer previously unadministered assets	Yes	Fee deferred pending discovery of assets
4.	Modify a plan in chapter 11 or chapter 13 case	Yes	Yes
5.	Motion for release of unclaimed funds	No	No
6.	§ 110 motions	Yes	*
7.	Amend Schedule to add or delete assets	Yes	Yes
8.	Amend Schedule to add or delete creditors	Yes	Yes
9.	Amend Schedules to amend claims of exemption	Yes	Yes
10.	Reaffirmation Agreements	Yes	Yes
11.	Motions to vacate dismissals or other orders and motions for reconsideration of judicial rulings	No	No
12.	Any effort to enforce a judgment in an adversary proceeding (e.g., Writs of Execution, Judgment Debtor Examinations, etc.)	No	No
13.	Amendments to Petition (name, Social Security number, etc.)	Yes	Yes
14.	Other pleadings filed in a case	Yes	Yes
15.	Motion to Reopen a case and for extension to file debtor's certification of completion of post-petition instructional course	Yes	Yes

\*No fee payable if filed by the U. S. Trustee (*Fee Compendium Section L*). If filed by others, fee can be waived without referring to the judge if a General Order is issued.

### (d) **Mega Case Procedures Checklist [LBR 5075-1].**

- (1) The *Mega Case Procedures Checklist* was developed by the Clerk's Office to streamline the approval process for administrative orders in large bankruptcy cases. LBR 5075-1 requires that all motions for administrative orders approving employment of persons or entities to perform certain duties of the Clerk's Office include the *Mega Case Procedures Checklist* form (along with completed LBR form F 5075-1.1, *Declaration to be Filed with*

## Section 2 - Filing Requirements and Procedures

*Motion Establishing Administrative Procedures RE 28 U.S.C. § 156(c)*). These duties include:

- (A) Processing proofs of claim and maintaining the claims register;
  - (B) Serving notices;
  - (C) Scanning documents; and
  - (D) Providing photocopies of documents filed in the case.
- (2) A judge's copy of the motion, including the declaration and *Mega Case Procedures Checklist*, is to be provided to the Clerk's Office at the time the motion is filed. Movant's counsel must consult with the Clerk's Office in order to complete the checklist to the satisfaction of the Clerk's Office. The most recent version of the *Mega Case Procedures Checklist* is available on the court's web site, [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), *Forms/Rules/General Orders -> Court Forms*. (Also see section 6, *Forms*.)
- (e) **Bill of Costs [LBR 7054-1]**. A bill of costs filed electronically or non-electronically must comply with LBR 7054-1. The prevailing party who is awarded costs must file and serve a bill of costs not later than 30 days after entry of judgment. Each item claimed must be set forth separately in the bill of costs.
- (f) **Items Taxable as Costs**. Pursuant to LBR 7054-1, the following items are taxable as costs:
- (1) **Filing Fees**. The clerk's filing fees;
  - (2) **Fees for Service of Process**. Fees for service of process (whether served by the United States Marshal or in any other manner authorized by FRBP 7004);
  - (3) **United States Marshal's Fees**. Fees of the United States Marshal collected and taxed as costs pursuant to 28 U.S.C. § 1921;
  - (4) **Clerk's Fees**. Fees for certification of documents necessary for preparation for a hearing or trial; and
  - (5) **Transcripts and Digital Recordings**. The cost of the original and one copy of all or any part of a trial transcript, daily transcript, or a transcript of matters occurring before or after trial, if requested by

## Section 2 - Filing Requirements and Procedures

the court or prepared pursuant to stipulation. The cost of a digital recording, if requested by the court or obtained pursuant to stipulation.

- (6) Depositions. Costs incurred in connection with taking depositions, including:
  - (A) The cost of the original and one copy of each deposition taken for any purpose in connection with the case;
  - (B) The reasonable fees of the deposition reporter, the notary, and any other person required to report, record, or transcribe the deposition;
  - (C) Reasonable witness fees paid to a deponent, including fees actually paid to an expert witness deponent pursuant to F.R.Civ.P. 26(b)(4)(c);
  - (D) Reasonable fees paid to an interpreter when necessary to the taking of the deposition; and
  - (E) The cost of reproducing exhibits used at the deposition and made a part of the deposition transcript.
- (7) Witness Fees. Fees paid to witnesses, including:
  - (A) Per diem, mileage, subsistence, and attendance fees as provided in 28 U.S.C. § 1821 paid to witnesses subpoenaed or actually attending the proceeding;
  - (B) Witness fees for a party if required to attend by opposing party; and
  - (C) Witness fees for officers and employees of a corporation if they are not parties in their individual capacities.
- (8) Interpreter's and Translator's Fees. Fees paid to interpreters and translators, including:
  - (A) The salaries, fees, expenses and costs of an interpreter as provided by 28 U.S.C. §§ 1827 and 1828; and
  - (B) Fees for translation of documents received in evidence, used as part of the proceeding, or when otherwise reasonably necessary to the preparation of the case.

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- (9) Docket Fees. Docket fees as provided by 28 U.S.C. § 1923.
- (10) Certification, Exemplification, and Reproduction of Documents. Document preparation costs, including:
  - (A) The cost of copies of an exhibit attached to a document necessarily filed and served;
  - (B) The cost of copies of a document admitted into evidence when the original is not available or the copy is substituted for the original at the request of an opposing party;
  - (C) Fees for an official certification of proof respecting the non-existence of a document or record;
  - (D) Patent Office charges for the patent file wrappers and prior art patents necessary to the prosecution or defense of a proceeding involving a patent;
  - (E) Notary fees incurred in notarizing a document when the cost of the document is taxable; and
  - (F) Fees for necessary certification or exemplification of any document.
- (11) Premium on Undertakings and Bonds. Premiums paid on undertakings, bonds, security stipulations, or substitutes therefor where required by law or court order, or where necessary to enable a party to secure a right granted in the proceeding.
- (12) Other Costs. Upon order of the court, additional items, including the following, may be taxed as costs:
  - (A) Summaries, computations, polls, surveys, statistical comparisons, maps, charts, diagrams, and other visual aids reasonably necessary to assist the court or jury in understanding the issues at the trial;
  - (B) Photographs, if admitted in evidence or attached to documents necessarily filed and served upon the opposing party; and
  - (C) The cost of models if ordered by the court in advance of or during trial.

## Section 2 - Filing Requirements and Procedures

- (13) Removed Cases. Costs incurred in state court prior to removal that are recoverable under state statutes are recoverable by the prevailing party in this court.
- (14) Costs on Appeal.
  - (A) The taxation of costs on a bankruptcy appeal to the bankruptcy appellate panel are governed by FRBP 8014 and Bankruptcy Appellate Panel Rule 8014-1.
  - (B) The taxation of costs on a bankruptcy appeal to the district court are governed by FRBP 8014 and Local Civil Rules 54-5 and 54-6 of the district court.

### 2.9 **Guidelines for Allowance of Attorneys' Fees in Chapter 13 Cases**

These guidelines govern the allowance of attorneys' fees and costs in chapter 13 cases in this district.

- (a) **Fees for Services Described in Bold Face Type in Rights and Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys ("RARA")**. An attorney may receive an order approving fees up to a maximum amount of \$6,000 in a case where the debtor is engaged in a business; or \$5,000 in all other cases without filing a detailed fee application if:

- (1) The attorney has filed with the court and served on the chapter 13 trustee the statement required pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure and a fully executed copy of the RARA," copies of which are available in the clerk's office and in the chapter 13 trustees' offices; and

- (2) No objection to the requested fees has been raised.

- (b) **Fees for Additional Services Without Filing a Detailed Fee Application**. An attorney may also receive an order approving fees for the following identified additional services in an amount not to exceed the maximum amount identified for each service without filing a detailed application:

## Section 2 - Filing Requirements and Procedures

<b>LEGAL SERVICE</b>	<b>NO LOOK FEE MAXIMUM</b>
<b>MOTION TO EXTEND/IMPOSE STAY (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>APPLICATION FOR ORDER SHORTENING TIME (NO OPPOSITION)</b>	<b>\$350.00</b>
<b>MOTION TO AVOID LIEN (506(a)) (NO OPPOSITION)</b>	<b>\$1,250.00</b>
<b>MOTION TO AVOID LIEN (506(a)); STIPULATION AND ORDER TO AVOID LIEN (506(a)) (NO OPPOSITION)</b>	<b>\$1,500.00</b>
<b>MOTION TO AVOID LIEN (522(f)) (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO DISALLOW CLAIM (NO OPPOSITION)</b>	<b>\$950.00</b>
<b>OPPOSITION TO TRUSTEE'S MOTION TO DISMISS/CONVERT CASE</b>	<b>\$350.00</b>
<b>MOTION TO MODIFY PLAN (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO REFINANCE/SELL REAL PROPERTY (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO INCUR DEBT (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>APPLICATION FOR ORDER CONFIRMING THAT LOAN MODIFICATION DISCUSSION WILL NOT VIOLATE STAY</b>	<b>\$300.00</b>
<b>COMPLAINT TO AVOID LIEN</b>	<b>\$2,000.00</b>

- (1) Attorneys must file an application to receive the no look fees but are not required to provide detailed billing statements with the application.



## Section 2 - Filing Requirements and Procedures

- (2) The foregoing fees do not include court appearances, but do include normal costs incurred in connection with the legal service. If the attorney seeks reimbursement of extraordinary costs, an application detailing the costs will be required.
- (3) Some judges may not allow "no look fees" for every service provided in the foregoing schedule. Attorneys should check the judge's page on the court's website for instances where the judge will not approve the no look fee.
- (c) **Fees to Be Paid Other Than Pursuant to These Guidelines.** If an attorney seeks additional fees or elects to be paid other than pursuant to these Guidelines, the attorney shall file and serve an application for fees in accordance with 11 U.S.C. §§ 330 and 331, Rules 2016 and 2002 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules 2016-1 and 3015-1, as well as the "Guide To Applications For Professional Compensation" issued by the United States Trustee for the Central District of California.
- (d) In any event, on its own motion or the motion of any party in interest, the court may order a hearing to review any attorney's fee agreement or payment, in accordance with 11 U.S.C. § 329 and Rule 2017 of the Federal Rules of Bankruptcy Procedure.

## Section 2 - Filing Requirements and Procedures

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## **3 CM/ECF Procedures (Case Management/Electronic Case Filing)**

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### 3.1 **CM/ECF Overview [LBR 5005-4]**

- (a) **What is CM/ECF?** Case Management/Electronic Case Filing (CM/ECF) is a case management system that allows attorneys to electronically file petitions and other documents via the internet. Case information, dockets and documents filed in CM/ECF may be accessed through the internet with a PACER account.
- (b) **Mandatory Electronic Filing.** Usage of the court's CM/ECF system is mandatory as of April 1, 2007, for all documents, except for those documents listed in section 3.11 of this Court Manual. The mandatory electronic filing policy provisions are set forth in LBR 5005-4, in Paragraph 19 of Second Amended General Order 02-01 and in General Order 06-03, dated November 7, 2006.
- (c) **Advantages of Using CM/ECF.**
  - (1) CM/ECF is available 24 hours a day, 7 days a week to registered users and can be accessed from virtually any computer with an Internet connection.
  - (2) CM/ECF saves time and money as registered users no longer need to travel to the court or send a courier to file the types of documents accepted electronically.
  - (3) The submission process is fast, and the electronic forms are easy to complete.
  - (4) The Clerk's Office has taken substantial measures to secure all activity on the CM/ECF site.
  - (5) Electronically filed documents are immediately entered on the court's docket, and an image of the filed document is simultaneously available for viewing in CM/ECF Pacer.
  - (6) CM/ECF allows filers to directly pay filing fees through CM/ECF using the U.S. Treasury Internet credit card service. Upon successful submission of a docket entry, the filer is immediately offered the option to pay the filing fee via the Internet. Upon the successful processing of the credit card payment, the filer receives an internet credit card payment receipt. The receipt for payment is automatically entered onto the case docket.

### Section 3 – CM/ECF Procedures

- (7) The CM/ECF Help Desk is available during business hours (Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding federal holidays) for customer assistance at (213) 894-2365. Or, you may send an email to [ECF\\_Support@cacb.uscourts.gov](mailto:ECF_Support@cacb.uscourts.gov).

**(d) Hardware/Software Equipment.**

Item	Requirement
Computer	Running a standard platform such as Windows or Mac OS X.
Printer	Any printer compatible with your computer to create electronic images of documents that are not in your word processing system. Preferred scanner settings: 200 X 200 DPI (dots per inch); black and white scale, no picture setting.
Scanner	Any scanner compatible with your computer.
Browser	Web browser. Mozilla Firefox 2 or 1.5, or Microsoft Internet Explorer 6.0, 7.0 or 8.0 are recommended. Some users have had positive experiences with other Web browsers, but those listed here have been tested and certified for compatibility with CM/ECF. Mozilla Firefox can be downloaded at no cost.
Exchange Software	Software to convert documents from a word processor format to portable document format (PDF). The current version of Adobe Acrobat Professional is recommended, however, lower versions adequately meet the CM/ECF filing requirements.  Adobe Acrobat Reader, which is available for free, is needed for viewing PDF documents.  Microsoft Word is required for the preparation of orders that are submitted via Lodge Order Upload (LOU).
E-mail Account	An e-mail account that is configured to send and receive attachments. You should be aware of any mailbox size limitations imposed by the e-mail provider.

(e) **Registering for CM/ECF.**

(1) Attorneys must first be admitted to practice in the Central District of California. If you are an out-of-state attorney, you are required to have local sponsoring counsel pursuant to LBR 2090-1(b)(3).

(A) To register for CM/ECF, attorneys, trustees, and limited filers must complete an on-line application for training. Upon completion of court-sponsored training and requisite training assignments, registrants will be provided with a login and password for CM/ECF. The attorney's authorized staff may be allowed to use the assigned login and password.

(B) Attorneys cannot knowingly permit a password to be used by anyone who does not have authorized access to the program. Please see section 3.2(d) of this Court Manual for more information.

(2) The online registration process takes less than 10 minutes to complete. To register, go to <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> CM/ECF.

(A) Training is required for all trustees, attorneys and limited filers unless they have been trained and issued a Login ID and Password in another bankruptcy court district.

(f) **Procedures and Frequently Asked Questions.** For CM/ECF procedures, refer to *Terms, Eligibility, Registration, Training, Passwords*, section 3.2 of this Court Manual. The most frequently asked questions and online procedures may be found at the court's web site at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> CM/ECF.

(g) **CM/ECF Documents.** Most documents can be filed using the CM/ECF system. The exceptions to electronic filing are documents filed under seal; Writs of execution; Abstracts of judgments; Bonds; and Interpleader with attached checks. These documents must be filed at the Intake window (See *Exceptions to Mandatory Electronic Filing*, section 3.11). Refer to *Proposed Orders*, section 3.9 of this Court Manual, for procedures regarding electronically lodged orders.

### 3.2 Terms, Eligibility, Registration, Training, Passwords

(a) Terms.

- (1) “CM/ECF system” refers to the court’s Case Management/Electronic Case Files System that receives documents filed in electronic format.
- (2) “CM/ECF User” refers to those who have a court-issued login and password to file documents electronically.
- (3) “Notice of Electronic Filing” refers to the notice automatically generated by the CM/ECF system each time a docket event is entered or a document is filed.

(b) Eligibility.

- (1) Full Participants. Attorneys admitted to practice in the Central District of California, currently in good standing, (including those admitted pro hac vice to the bar of the court and attorneys authorized to represent the United States without being admitted to the bar), United States trustees and their assistants, trustees in bankruptcy and their assistants, attorneys representing the United States of America, and others as the court deems appropriate, may register as full participant CM/ECF Users.
- (2) Limited Participants. The court may designate additional individuals or entities as eligible for registration as limited participant CM/ECF Users. Such CM/ECF Users may be limited to filing electronically certain types of documents, such as proofs of claim, or limited to filing documents in a particular case or proceeding.

(c) Registration for the CM/ECF System.

- (1) Registration. Each attorney desiring to file pleadings or documents through the court’s CM/ECF system must complete an online Registration Form, complete the online training provided by the court, and prove competence on the CM/ECF system. Attorneys who have attended training for the CM/ECF system and are registered in another Bankruptcy Court may be allowed to register with this court without further training. Limited use passwords may be issued to CM/ECF Users with formal training, when required. Persons wishing to register as limited users must follow the same registration procedures. Registration information is available on the court’s web site at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>.



### Section 3 – CM/ECF Procedures

- (2) Certification of Requirements. Upon certification of the requirements stated in Paragraph (c)(1) above, the Clerk will provide the registering CM/ECF User with a login and password for the CM/ECF system.
- (3) Registration as Consent to Receive Notice and Service Electronically. Registration by an CM/ECF User shall constitute: (1) consent in writing to receive notice electronically and waiver of the right to receive notice by any other means; and (2) consent in writing to electronic service, except in regard to service of a summons and complaint under FRBP 7004, and waiver of any right to service by any other means. The consent and waiver includes, without limitation, notice of the entry of an order or judgment under FRBP 9022. The consent and waiver is effective upon activation of the participating CM/ECF User's login and password in the CM/ECF system live database.
- (4) Attorneys CM/ECF Registration Information. The contact information provided by the attorney on the registration form (mailing address, email address, phone number and fax number) shall constitute the official address of record in all cases where he or she is attorney of record until such time as the attorney's registration information is updated or corrected. Additionally, only one-mailing address per attorney can be stored in the CM/ECF system at a time. Therefore, attorneys who have multiple addresses must provide a preferred address to be used by the debtor and court in all of his or her cases.
- (5) Notification of Change in CM/ECF Registration Information. Registered CM/ECF Users are able to update their email and mailing addresses, phone number or fax number by logging into *CM/ECF > Utilities > Maintain Your Account*. The updates will become effective immediately.

To update a CM/ECF user's mailing address for previously filed cases, the CM/ECF user must file a Notice of Attorney Change of Address or Law Firm in each case pursuant to LBR 2091-1(f). The CM/ECF user can use the multiple- case filing feature in CM/ECF to file the Change of Address and include a list of the affected cases as a PDF attachment. The Change of Address form is available on the court's website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) > *Forms*>.

#### **(d) Login and Password.**

- (1) Use of Login and Password. It shall be the duty of the registered CM/ECF User to retain control of, and to protect and secure the confidentiality of, his or her login and password, and to prevent their

disclosure to any person not authorized to use them. No registered CM/ECF User shall knowingly permit or cause to permit his or her login and password to be utilized by anyone. A registered ECF User shall immediately notify the CM/ECF Help Desk upon learning that the security of his or her login and password has been compromised an e-mail addressed to <ECF\_support@cacb.uscourts.gov>.

- (2) Filing Agents. Registered attorneys, trustees and U.S. Trustees who have an individual empowered (such as a paralegal or legal assistant) to act on their behalf should consider the use of the Filing Agent feature. CM/ECF registered attorneys, trustees and U.S. Trustees may designate one or more employees as Filing Agents, and as such may create a separate login and password that will allow them to file documents and pay for filing fees on the their behalf. The CM/ECF registered attorneys, trustees and U.S. Trustees maintain the same level of responsibility as with their login in ensuring that a Filing Agent's login is kept current at all times. The CM/ECF registered attorneys, trustees and U.S. Trustees must deactivate a Filing Agent's account who leaves the firm or is no longer authorized to file on their behalf.
- (3) Suspension or Cancellation by Court. The court may suspend or revoke an CM/ECF User's password and, therefore, his or her authority and ability to electronically file documents for: (1) failure to comply with any provision of the agreement contained in the CM/ECF User's Registration Form; (2) failure to adequately protect his or her password; (3) failure to comply with the provisions of the LBR or Court Manual; (4) failure to pay fees required for documents filed electronically; (5) other misuse of the CM/ECF system; or (6) a sanction ordered by the court after notice and opportunity for hearing.

### 3.3 Effective Dates of Filing

- (a) Effectiveness of Electronically Filed Document. The electronic filing of a document, together with the transmission by the court of a Notice of Electronic Filing to the user filing the document, constitutes the filing of the document for all purposes of the FRBP and the court's Local Bankruptcy Rules and constitutes entry of the document on the docket by the Clerk under FRBP 5003. The official record of all documents is the electronic recording of the document as stored by the court.
- (b) Time of Filing. Filing of a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight,

Pacific Standard or Daylight Saving Time, whichever is then in effect, to be considered timely filed that day. The date and time of filing is stated on the Notice of Electronic Filing from the court. This time stamp is based on the time of the electronic receipt of the document by the court, and not by the time of transmission by the CM/ECF User.

- (c) **Virtual Documents.** Virtual documents are certain documents (including some orders) which are frequently used by trustees and the court, and the text of which does not vary from case to case. A virtual document consists entirely of the text contained in the docket entry and is not embodied in any other document or electronic recording. The docket entry for a virtual document shall be fully effective despite the absence of a document or electronic recording apart from the docket entry. Examples of virtual documents are a trustee's report of no distribution, a trustee's initial report in an asset case, and a final decree closing the case.

### 3.4 **Signatures**

(a) **Registered CM/ECF User.**

- (1) **Use of Login and Password.** The use of a registered CM/ECF User's login and password to file a document electronically shall constitute the signature of the registered CM/ECF User on the document being electronically filed. The attorney shall sign a true and correct hard copy of the document before the electronic version of the same has been electronically filed.
- (2) **Use of "/s/".** The signature of the registered CM/ECF User on electronically filed documents shall be denoted by "/s/," followed by the registered CM/ECF User's name, on the signatures lines where such signatures are required or applicable. Failure to denote "/s/," followed by the registered CM/ECF User's name, on applicable signature lines shall constitute a failure to sign the documents on such signature lines. If, in addition, the registered CM/ECF User is an attorney, the use of the registered attorney's login and password to file a document electronically is a substitute for a holographic signature of that attorney on that document under FRBP 9011 and LBR 1002-1(b)(2).
- (3) **Virtual Documents.** The use of the trustee's CM/ECF User login and password shall constitute the trustee's signature on a virtual document. A virtual document that is a court notice or order entered by the court shall be deemed signed by the individual whose name appears as Judge or Clerk of the Court.

- (4) Retention of Original Signatures. The registered CM/ECF User electronically filing the document shall maintain the executed original of the document for a period of five years after the closing of the case or adversary proceeding in which the document is filed, and shall make the executed original available for review upon request of the court or other parties.

**(b) Debtor(s) or Other Parties Represented by Registered CM/ECF User.**

- (1) Use of “/s/”. The signature of the debtor or other represented party on electronically filed documents shall either be an original signature or be denoted by “/s/,” followed by the debtor’s or other party’s name, on the signature lines where such signatures are required or applicable. Failure to denote “/s/,” followed by the debtor’s or other represented party’s name, on applicable signature lines shall constitute a failure to sign the documents on such signature lines. The debtor or other represented party shall sign a true and correct hard copy of the document before the electronic version of the same has been electronically filed.
- (2) Electronic Filing Declarations Requirement. Documents filed electronically using the CM/ECF system, that are signed by an individual debtor(s) or other represented party using a “/s/” for signature, must be accompanied by a scanned copy of an Electronic Filing Declaration (Individual) signed by the debtor(s) or other represented party, and the attorney, or an Electronic Filing Declaration of Authorized Signatory (Corporation/Partnership) if the debtor is a corporation or partnership. Failure to submit an Electronic Filing Declaration constitutes a failure by the debtor or other party to sign in the locations indicated by “/s/.” A Bankruptcy Petition electronically filed by an attorney through CM/ECF must be accompanied by an Electronic Filing Declaration, even if the Bankruptcy Petition has been scanned with original signature(s).
- (3) Retention of Original Signatures. The attorney or other CM/ECF User electronically filing such documents shall maintain the executed original of the Declaration for a period of five years after the closing of the case or adversary proceeding in which the document is filed, and shall make the executed original of the Declaration available for review upon request of the court or other parties.

(c) **Party Other Than Registered CM/ECF User, Debtor, or Other Party Represented by Registered CM/ECF User.**

- (1) Image of Signature. Documents that require the verified signature of a party other than the registered CM/ECF User who is electronically filing the document, the debtor(s), or other party represented by registered CM/ECF User shall be electronically imaged using scanning technology and electronically filed in portable document format (.pdf) as specified by the Clerk of Court.
- (2) Verification of Documents. The use of the registered CM/ECF User's login and password by the attorney electronically filing the document is the attorney's representation that the document being filed is a true and correct copy of the original document bearing such other individual's signature.
- (3) Retention of Original Signatures. The registered CM/ECF User electronically filing the document shall maintain the executed original of the document for a period of five years after the closing of the case or adversary proceeding in which the document is filed, and shall make the executed original available for review upon request of the court or other parties.

(d) **Documents with Multiple Signatures (i.e., Stipulations, etc.).** Documents requiring the signatures of more than one party, such as a stipulation, must be electronically filed as follows):

- (1) Verification of Content of Document. The attorney electronically filing the document shall initially confirm that the content of the document is acceptable to all persons required to sign the document by obtaining their original signatures on the document.
- (2) Image of Signatures. The document containing the original signatures shall be imaged using scanning technology and electronically filed in portable document format (.pdf).
- (3) Retention of Original Signatures. The attorney electronically filing the document shall maintain the executed original for a period of five years after the closing of the case or adversary proceeding in which the document is filed, and shall make the executed original available for review upon request of the court or other parties.

(e) **Employee of Registered CM/ECF User.** An employee of a registered CM/ECF User who has a CM/ECF password may submit an electronic signature solely for the purpose of verifying proofs of service of

documents. The signature of the employee on the proof of service shall be denoted by “/s/,” followed by the employee’s name on the signature line where such signatures are required or applicable. The registered CM/ECF User whose password was used to electronically file or lodge the document is responsible for the accuracy of the verification.

### 3.5 Electronic Filing Protocols

- (a) **General.** Except as provided by LBR 5005-4 and section 3.12 below, “Technical Failures,” all documents filed in any case or proceeding must be filed electronically, signed or verified by electronic means in compliance with these CM/ECF procedures.
- (b) **Tilde and other Accent Marks.** CM/ECF filers must not include a tilde (~) or other accent marks when entering party names in CM/ECF data fields as these special characters will truncate the name or word. For example, “Muñoz” becomes “Muoz” if entered in a CM/ECF data field. You may include the tilde or other accent mark in a pdf document that is filed through CM/ECF. For further information on style conventions for names, see the Style Guide at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) ->CM/ECF-> Style Guide.
- (c) **Judge’s Copy [LBR 5000-2].** Local Bankruptcy Rule 5005-2(d) requires that a copy of many documents filed must be served on the judge who presides over the bankruptcy case or adversary proceeding. Please see *Appendix F* for detailed directions on the method, manner, timing and location of serving a Judge’s copy.
- (d) **Document Size.** Document files shall not be larger than 510 megabytes (MB) in size. A CM/ECF User should check the size of the file prior to attempting to upload it in the CM/ECF system. Approximately 100 pages of text, converted from a standard word processing format to a PDF image, should not exceed 510 MB. However, a PDF file created through scanning a document or by inserting additional pages that have been scanned may result in a file exceeding 510 MB. In particular, scanning a document with graphics or dark areas will significantly affect file size. A file exceeding the 510 MB limit must be broken into smaller sections and uploaded as consecutively numbered attachments to the main document.
- (e) **Image Size.** Individual pages of documents shall not exceed 8.5 x 11 inches. A CM/ECF User should check the page size prior to attempting to upload the PDF in the CM/ECF system. PDF files with pages exceeding the 8.5 x 11 inch limit must be modified before uploading.
- (f) **Hyperlinks.** Documents filed using the CM/ECF system may include the following type of hyperlinks:



- (1) Hyperlinks to other portions of the same document; and
- (2) Hyperlinks to a location on the Internet that contains a source document for a citation or other reference materials.

**NOTE:** Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record. Hyperlinks are simply convenient mechanisms for accessing material cited in a filed document. The court accepts no responsibility for, and does not endorse, any product, organization, or content at any hyperlink site, or at any site to which that site may be linked. The court accepts no responsibility for the availability or functionality of any hyperlink.

- (g) **Emergency Motions.** CM/ECF Users seeking to set a motion for hearing on an emergency basis must comply with LBR 9075-1(a). The name and phone number of the contact for each judge is listed in Appendix H of this Court Manual.
- (h) **Title of Docket Entries.** The CM/ECF User must designate a title for the document using one of the main categories provided in the CM/ECF system (e.g., motion, application, etc.).
- (i) **Correcting Documents Filed in Error.**
  - (1) When a document has been filed electronically, the official record is the electronic recording of the document as stored by the court. Only the Clerk's Office can make changes to the docket entry.
  - (2) A document incorrectly filed in a case may be the result of posting the wrong PDF file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number. If an error is detected after an item is on the docket, **DO NOT ATTEMPT TO RE-FILE THE DOCUMENT.**
  - (3) After an error is discovered, contact the CM/ECF Help Desk at (213) 894-2365 as soon as possible. Be sure to have the case number and document number for which the correction is being requested. If appropriate, the court will make an entry indicating that the document was filed in error. You will be advised if you need to re-file the document. The CM/ECF system will not permit you to make changes to a document or docket entry once the transaction has been accepted.
  - (4) If an error regarding a fee occurs, do not pay the fee until after speaking with someone at the CM/ECF Help Desk.

- (j) **Flattening and Shrinking the Document Image.** All PDF files must be “flattened” prior to uploading in the court’s CM/ECF system. Documents that have not been flattened prior to submission can result in poor image quality problems for all users who attempt to view the PDF via CM/ECF. Flattening files also reduces the file size of a fillable form by over 90 percent, conserving valuable resources for the court. CM/ECF users who fail to flatten files will be contacted and asked to resubmit these files. To “flatten” the electronic file (i.e., to make the field data indistinguishable from the rest of the text in the form), “print” the form to PDF (using the print dialogue box), and file the resulting document. Detailed instructions for flattening and shrinking a PDF document titled, “Warning for Electronic Filers: Flattening PDF Files Required,” are available on the court’s website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> ->CM/ECF.
- (k) **Verification of Documents Image.** An CM/ECF User shall verify, by checking the link in the Notice of Electronic Filing or by reviewing the docket immediately after the electronic filing, that the image of the filed document is a correct and complete copy of the document intended to be filed. An CM/ECF User shall immediately notify the CM/ECF Help Desk at (213) 894-2365 of the discovery of an incorrect or incomplete image of a document. A follow-up e-mail shall also be sent to <[ECF\\_support@cacb.uscourts.gov](mailto:ECF_support@cacb.uscourts.gov)>.
- (l) **Anti-Virus Software.** Each CM/ECF User shall utilize updated anti-virus software at all locations from which Internet access is made. The filing party must check all electronic files submitted on disk or transmitted by e-mail to the Clerk’s Office or a judge’s chambers for viruses or worms.

### 3.6 **Privacy [LBR 1002-1]**

- (a) **Redaction of Personal Identifiers.** In compliance with the policy of the Judicial Conference of the United States and the E-government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the court, including exhibits thereto, whether filed electronically or in paper format, unless otherwise ordered by the court or required by statute, the FRBP, or the Official Bankruptcy Forms.
  - (1) **Social Security Numbers.** If disclosure of a Social Security number is required, only the last four digits of that number should be used. (This does not apply to Official Form 21, Statement of Social Security Number(s)).



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- (2) Names of Minor Children. If disclosure of the identity of any minor child is required, only the initials of that child should be used.
- (3) Dates of Birth. If disclosure of an individual's date of birth is required by any statement or schedule, only the year should be used.
- (4) Financial Account Numbers. If disclosure of any financial account number is required, only the last four digits of that number should be used.

**NOTE:** The responsibility for redacting the personal identifiers listed above rests solely with counsel and the parties. The Clerk's Office will not review each document for compliance with this rule.

**(b) Statement of Social Security Number(s) - Official Form B21.**

- (1) When to Submit to the Court. Beginning January 1, 2009, attorneys who electronically file petitions using the court's CM/ECF system must electronically submit the Statement of Social Security Number(s) (Official Form B21) to the court on the same day of the filing of the petition pursuant to Public Notice 08-024 (dated 12/11/08).
- (2) How to Submit to the Court. To ensure the privacy of the debtor's Social Security Number, the court requires that the Statement of Social Security Number(s) be printed, signed by the debtor(s), scanned as a separate PDF file, and docketed separately from the Voluntary Petition using the "private" event code **Statement of Social Security Number(s) Form B21** (BK - Other). **DO NOT** file an amended Statement of Social Security Number(s) as "Amendment" since this event will cause the document and the Social Security Number to appear on the public docket. Use "private" event code **Statement of Social Security Number(s) Form B21 (AMENDED STATEMENT)** (BK - Other). More detailed instructions on how to submit the Statement of Social Security Number(s) or an Amended Statement of Social Security Number(s) are available on the court's website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> -> CM/ECF.
- (3) Privacy of the Debtor(s) Social Security Number(s). Attorneys must use the proper event code to prevent the full social security number(s) from appearing on the public docket, which is a violation of FRBP 9037.

### 3.7 Payment of Filing Fees

- (a) **When Fees are Due.** For filings that require a fee, the CM/ECF system will prompt the CM/ECF User to enter credit card information (card number and expiration date) and the payment amount following the transaction. The credit card receipt shall include a reference to the case and docket number. Funds will be automatically charged to the card holder's account by the United States Treasury Department. All applicable filing fees are due at the time of filing. If you choose to accumulate filing fees throughout the day, all fees must be paid by the end of the day in which the filings occurred.
- (b) **Consequences of Not Paying Fees Timely.** A registered CM/ECF User will be locked out of the CM/ECF system and prevented from filing additional documents if the filing fees are not paid by the end of the day. The registered CM/ECF User will receive a daily email reminder until all outstanding filing fees are paid in full. Once a CM/ECF User is locked out of the CM/ECF system, there will be limited access to run the Payment History and Internet Payments Due reports in order to make payments. The registered CM/ECF User must log into PACER to run standard reports and queries. Full access rights will be restored in the CM/ECF system after all outstanding fees have been paid in full.
- (c) **Debtor's Personal Credit Card.** A debtor's personal credit card cannot be used to pay the filing fee through the CM/ECF system.

### 3.8 Service of Documents by Electronic Means [LBR 9036-1]

- (a) **Consent to Electronic Service.** As a condition of participation in filing electronically via CM/ECF, CM/ECF Users are required to consent to electronic service of all documents, except with regard to LBR 7004-1, service of a summons and complaint. The consent is effective upon activation of the CM/ECF User's login and password in the live CM/ECF system. The consent shall apply in all cases in which the consenting entity is a party. The entity may withdraw consent to electronic service by giving notice of not less than 30 days to all parties in matters in which the entity is a party. An entity that has requested to receive a Courtesy Notification of Electronic Filing pursuant to Public Notice 08-015 has consented to electronic service of all documents.
- (b) **Notice of Electronic Filing (NEF).**
  - (1) Whenever a document is filed electronically using the court's CM/ECF system, the filing party automatically will be sent a Notice of Electronic Filing by electronic means at the time of docketing. Electronic transmission of the Notice of Electronic Filing through the

### Section 3 – CM/ECF Procedures

court's transmission facilities constitutes service of the notice of the filed document to registered CM/ECF Users and others who have consented in writing to accept such service of notice. The party filing the document using the court's CM/ECF system shall serve the document on other parties as required by the FRBP and the Local Bankruptcy Rules.

- (2) Proof of service on mandatory form F 9013-3.1.PROOF.SERVICE must be filed pursuant to Local Bankruptcy Rule 7004-1(b) for all documents filed electronically, indicating that service was accomplished through the Notice of Electronic Filing for parties and counsel who are registered CM/ECF Users, and indicating how service was accomplished on any party or counsel who is not an CM/ECF User.
- (3) A party entitled to service who is not a registered CM/ECF User in the CM/ECF system is entitled to a paper copy of any electronically filed document. The filing party must serve the non-registered CM/ECF party with the document according to the FRBP and the Local Bankruptcy Rules.
- (4) Copies of documents that have been filed electronically which the court is required to transmit to the United States trustee shall be transmitted to the United States trustee electronically via a Notice of Electronic Filing.

#### (c) **Courtesy Notification of Electronic Filing (NEF).**

- (1) Registered CM/ECF users who wish to receive courtesy electronic notification of documents filed in a particular bankruptcy case may submit a request to the court using the form Request for Courtesy Notification of Electronic Filing (NEF). This form is available on the court's website at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) -> Forms -> Other Forms.
- (2) All requests for a courtesy NEF must be filed electronically with the court. The courtesy electronic notification shall be delivered via the court's CM/ECF system as an NEF. **Requests for a Courtesy NEF will not be accepted at the Intake window.** (See Public Notice 08-015.)

#### (d) **Removal from Notice of Electronic Filing (NEF) or Courtesy NEF.**

Registered CM/ECF users who wish to no longer receive NEFs or Courtesy NEFs on a particular case may refer to procedures in the CM/ECF online manual available on the Court's website at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) ->CM/ECF-> CM/ECF Procedures, or contact the CM/ECF Help Desk at (213) 894-2365 for assistance.

- (e) **Notice of Claim Filed by Debtor or Trustee.** A debtor's attorney or a trustee electronically filing a proof of claim on behalf of a creditor under FRBP 3004 shall be responsible for giving notice of the filing to the creditor, debtor and trustee as required by that rule.
- (f) **Electronic Notice & Service on United States Trustee [LBR 2002-2].** The United States trustee accepts service via NEF of most documents. However, there are several specific situations in which service on the United States trustee must be made by personal delivery, overnight mail, or regular mail. Please consult LBR 2002-2 for these rules. Please consult *Appendix C* of this Court Manual for information about the United States trustee and addresses for mailing documents to the United States trustee.

### 3.9 **Proposed Orders [LBR 9021-1]**

Unless otherwise authorized by the court, proposed orders may be lodged electronically on all cases and adversary proceedings using the court's Lodged Order Upload (LOU) program in CM/ECF. The procedures for using the court's Lodged Order Upload program are located in section 4 of this Court Manual. Online procedures may be found on the court's web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) -> CM/ECF -> LOU (Lodged Order Upload).

### 3.10 **Entry of Judgments and Orders**

- (a) **Electronic Transmission.** Immediately upon the entry of a judgment or order, the Clerk's Office shall electronically transmit a Notice of Electronic Filing to registered CM/ECF users and others who have consented to electronic service or notice in the case or proceeding through the court's transmission facilities. The electronic transmission of the Notice of Electronic Filing shall constitute the service on such persons or entities of the notice of entry of the judgment or order required by FRBP 9022.
- (b) **Notice and Service by Mail on the Debtor or Debtor's Attorney.** The Bankruptcy Noticing Center will give notice of the entry of the judgment or order by mail only to as follows:
  - (1) **Bankruptcy Cases.** The BNC will send notice of an order ONLY to the debtor and debtor's attorney (when not a registered CM/ECF User).
  - (2) **Adversary Proceedings.** A complete street address must be listed on the CM/ECF docket for an adversary proceeding in order for the BNC to deliver notice of an order. If an address is missing or

incomplete, the BNC will not deliver a notice to that party or attorney. Please contact 1-855-460-9641, if there is an address missing from the docket.

- (A) Parties. The BNC will send notice of an order to all plaintiffs and all defendants whose complete street addresses are listed on the CM/ECF docket for the adversary proceeding.
- (B) Attorneys. The BNC will send notice of an order to attorneys who do not receive notices electronically by NEF, if a complete address is listed on the CM/ECF docket for the adversary proceeding.
- (c) **Notice and Service on other Parties**. Any persons or entities who (1) do not receive orders by NEF, (2) who are entitled to such service of an order or judgment pursuant to FRBP 9022 and LBR 9021-1(b), and (3) will not be served by BNC, must be served as follows:
  - (1) Lodged Party Serves the Order or Judgment. If a party lodges the order, that party must promptly serve the order on that person or entity and file a Proof of Service of Document within 72 hours from entry of the order or judgment.
  - (2) Court Serves the Order or Judgment. If the court prepares the order, and the person or entity does not receive service via NEF, the court will send the order by U.S. mail to that person or entity.

### 3.11 **Exceptions to Mandatory Electronic Filing**

- (a) **Document Exception**. The following documents shall be filed conventionally and not electronically unless specifically authorized by the court:
  - (1) Documents filed under seal;
  - (2) Writs of execution;
  - (3) Abstracts of judgments;
  - (4) Applications for renewals of judgments;
  - (5) Bonds; and
  - (6) Interpleader with attached checks.

- (b) **Pro Se Exception.** A person who is not represented by an attorney may file and serve documents non-electronically.
- (c) **Limited Exception for Attorneys.**
- (1) An attorney who has filed documents in **fewer than 5 bankruptcy cases or adversary proceedings in a single calendar year** may file and serve documents non-electronically.
  - (2) An attorney who has filed non-electronically documents capable of being filed electronically in **5 or more bankruptcy cases or adversary proceedings in a single calendar year** *must thereafter* file documents electronically through the court's CM/ECF system.
  - (3) The court reserves the right in its sole discretion to revoke this limited exception at any time upon notice to the attorney.

### 3.12 **Technical Failures**

An CM/ECF User whose filing is made untimely as a result of a technical failure may seek appropriate relief from the court.

- (a) **CM/ECF Outage Procedures.** In the event that the court is unable to accept electronic filings due to a scheduled or unscheduled failure or outage of CM/ECF (an "Outage"), the option of filing documents manually at the filing window always remains available and should be utilized whenever it is essential that a particular document be filed by a particular date. However, as it is significantly more cumbersome and time-consuming for the court to process paper filings, we would prefer that attorneys limit the number of instances in which they file manually during an Outage. Please refer to the following guidelines for assistance in evaluating whether a given document should be filed manually during an Outage.<sup>1</sup>
- (1) **Filing a Hard Copy.** You should file a hard copy of the relevant documents manually at the filing window if you need to commence a new bankruptcy case before the court is again able to accept electronic filings ("Resumption of Service") or if, in the exercise of your professional judgment, you conclude that (a) applicable law requires that your client file a given set of documents before Resumption of Service in order for the filing to be effective or (b) it

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<sup>1</sup> The term, "Outage," as used in these guidelines refers to an instance in which CM/ECF is not functional and does not refer to an instance in which your office or your internet service provider is having technical difficulties and you are therefore unable to accomplish an electronic filing. If there is an Outage within the meaning of these guidelines, **you will receive an email to this effect from the ECF Help Desk, advising you that the system is unavailable.**

is not within the judge's discretion to excuse noncompliance with the applicable deadline. You might reach this conclusion, for example, if one of the following is true:

**NOTE:** PARAGRAPHS (1) THROUGH (3) ARE EXAMPLES ONLY AND SHOULD NOT BE UNDERSTOOD AS AN EXCLUSIVE LIST OF THE INSTANCES IN WHICH YOU SHOULD FILE MANUALLY DURING AN OUTAGE.

- (A) Example 1. The documents is a complaint, a notice of appeal, a proof of claim, an election to opt-out of the Bankruptcy Appellate Panel, a motion to vacate a default or a motion to extend time to file schedules or other case commencement documents, and the applicable statute of limitations, bar date or filing deadline will run before Resumption of Service;
  - (B) Example 2. The Bankruptcy Code or the Federal Rules of Bankruptcy Procedure establish a specific deadline for the filing of the documents in question that will run prior to Resumption of Service (*e.g., a motion to extend the automatic stay in a second bankruptcy case pending within a year; a motion to assume or reject a lease of nonresidential real property; a complaint objecting to a discharge; or a complaint seeking to have a debt declared nondischargeable*); or
  - (C) Example 3. You need to file something in order to create bankruptcy court jurisdiction over a given dispute prior to Resumption of Service so that the court will have jurisdiction to act (*e.g., you need to file and serve an adversary proceeding so that the court will have the jurisdiction to issue a temporary restraining order or preliminary injunction*).
- (2) Not Filing a Hard Copy. If you conclude in the exercise of your professional judgment that the provisions of subsection (1) do not apply, please observe the following guidelines:
- (A) Filing. Except as provided in paragraph (2)(E) below, do not file the document manually. Except as provided in paragraph (2)(E) below, wait until Resumption of Service and file as soon as possible thereafter.
  - (B) Service. **Serve the document by the applicable deadline imposed by the Local Bankruptcy Rules (or any other applicable rules) on all appropriate parties, including the judge, by the same method of service required or**



**authorized under the Local Bankruptcy Rules and/or the Court Manual.** If a given party to be served is a registered CM/ECF user who has not opted out of electronic service by NEF, you may serve the document by emailing a copy of the document to the email address that would have been used by CM/ECF to serve the document. **However, be sure to prepare, maintain (and file by the deadline set forth in paragraph (2)(E) below) a proof of service that accurately describes how and when you served these people. The standard court form for a proof of electronic service will not suffice as it does not include a section for service by email other than through CM/ECF.**

- (C) Judge's Copy. As you will not be able to attach proof of filing to the judge's copy at the time of service on the judge, please note on the front page of the document in the upper right hand corner, "NOT YET FILED DUE TO AN OUTAGE."
- (D) Obtaining a Hearing Date: During the pendency of an Outage, if you elect to wait until Resumption of Service to file a motion, request or application, you may nevertheless select a hearing date from the judge's self-calendaring system (or request a date from the judge's calendar clerk for matters that cannot be self-calendared) for your motion, request or application and put the date, time and place of the hearing on the caption page of the service copies of the document, but be sure to **serve your documents at least as many days in advance of the hearing date that you select as is required under the Local Bankruptcy Rules and any other applicable rules.**
- (E) Absolute Deadline for Filing.
  - (i) Matters to be Set for Hearing.
    - 1) Notwithstanding anything contained herein to the contrary, if the documents that you have been unable to file electronically due to an Outage comprise a motion, application or request that is set for hearing, you must file those documents (manually, if necessary) not less than three court days before the date set for the hearing, or your hearing will need to be rescheduled.
    - 2) If your documents comprise a response to a motion, request or application, or a reply



thereto – or if the documents you seek to file is a stipulation to continue or resolve a hearing<sup>2</sup> – the deadline set forth in paragraph (2)(E)(i)a above does not apply. Oppositions, replies and stipulations to continue or resolve hearings should be filed promptly after Resumption of Service, *even if Resumption of Service occurs after the date scheduled for the hearing*, but in all instances you must ensure that service copies, including the judge’s copy, are served in a timely manner so that the judge and affected parties have an opportunity to review and act on these documents prior to the hearing even if they have not yet been filed.

- (ii) Matters Not Set for Hearing. If your motion, application or request is one for which there is no hearing, your documents will need to be filed, manually if necessary, on or before the date on which you need to have an order signed. The judge will not sign an order acting on or in response to a motion, application or request unless that motion, application or request has been filed with the court.

### 3.13 Public Access to the CM/ECF System

- (a) Internet Access. Internet access to the CM/ECF system is not available without a PACER login and password. A PACER login and password can be secured by contacting the PACER Service Center to establish an account. Registration may be made online at <<http://pacer.psc.uscourts.gov>>, or by calling the PACER Service Center at (800) 676-6856. Such access to the CM/ECF system will allow the retrieval of the docket sheet and documents. Access to the CM/ECF system will be on a “read only” basis.
- (b) Public Access at the Court. The public will have electronic access at the Clerk’s Office during regular business hours for viewing the docket sheet and filed documents in the CM/ECF system.

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<sup>2</sup> If you have reached an agreement with opposing parties to resolve or continue a matter, **please notify chambers by phone as soon as possible, whether or not there is an Outage.**

- (c) **Conventional Copies and Certified Copies.** Uncertified and certified copies of electronically filed documents may be purchased at the Clerk's Office during regular business hours. The fee for copying and certification will be in accordance with the provisions of 28 U.S.C. § 1930.

## **4 LOU (Lodged Order Upload)**

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## 4.1 LOU (Lodged order Upload) Overview

- (a) **Effective Date.** The United States Bankruptcy Court for the Central District of California began accepting electronic orders for ALL judges on November 19, 2007.
- (b) **Separate Program.** Although LOU is separate from the CM/ECF program, it is incorporated into the CM/ECF menu, making it easy for CM/ECF users to find and select.
- (c) **Noticing.** Orders that are uploaded via LOU, and then subsequently entered via the Court's Calendar and Order Generation program ("CIAO!"), will generate either an electronic or manual notice from the Bankruptcy Noticing Center (BNC) upon entry in the court's Case Management (CM) system. For more information on orders noticed through BNC, please refer to section 4.6 of this manual.
- (d) **Order Format.** Electronic orders must be uploaded in MS-RD format only. Using WORD enables a judge or his/her chambers to edit a lodged order. The order will be entered in PDF format onto the docket and can be accessed normally. If you attempt to upload the order in any other type of format (e.g. PDF), you will receive an error message.
- (e) **Requirements.** The following procedures include the steps for preparing an order which include the **service and format** requirements for the submission of electronic orders. All orders uploaded electronically using the court's Lodged Order Upload (LOU) program must comply with all of these requirements.
- (f) **Every Order Uploaded will be Assigned a Document Number.** At the end of each submission you will receive a confirmation which contains the assigned document number, the relevant case information, and the date and time of submission. Please print and retain a copy of the confirmation should you need it for future reference.
- (g) **Help Desk.** If you have any questions, comments or suggestions related to electronically uploaded orders, please contact us at *ECF\_Support@cacb.uscourts.gov*, or call the CM/ECF Help Desk, at (213) 894-2365, Monday through Friday from 9:00 a.m. to 4:00p.m. (excluding federal holidays).

## 4.2 Order Preparation [LBR 9021-1 and LBR 9004-1]

- (a) **Prior electronic Submission.** When preparing a proposed order prior to electronic submission, you must comply with the following procedures. Non-compliance may result in your order being marked as “Unused” (i.e. rejected), and you may need to lodge a new order, further delaying the entry of such order (See below section 4.3(e) - (g) of this Manual).
- (b) **Service of Proposed Order.**
- (1) **Notice of Lodgment.** If the proposed form of order or judgment is one that, according to the LBRs, must be served on one or more parties in interest (other than the presiding judge), on the same day that you lodge the order, you must file through CM/ECF a notice of lodgment (NOL) of the proposed order (which includes a Proof of Service). Use LBR form F 9021- 1.2.BK.NOTICE.LODGMENT if the order will be entered on the docket in the bankruptcy case itself; use LBR form F 9021-1.2.ADV.NOTICE.LODGMENT if the order will be entered on the docket in an adversary proceeding. Attach a copy of the proposed form of order to the NOL and serve the NOL and the attached order on the parties entitled to receive service of the proposed form of order under the LBRs and the presiding judge in accordance with the following procedures. Service of the NOL with a copy of the proposed order attached is the only way that you need to serve a proposed form of order. (If you are not required under the LBRs to serve a proposed form of order on anyone, you are not required to file an NOL with regard to that order.) DO NOT ATTACH A PROOF OF SERVICE TO THE PROPOSED ORDER AT THE TIME IT IS LODGED either via LOU or at the Intake window, and do not separately serve the proposed form of order.
  - (2) **Mandatory LBR Form 9013-3.1.PROOF.SERVICE.** Comply with LBR 9021-1 by attaching at the back of your NOL and proposed order a Proof of Service page, using court mandated LBR form F 9013-3.1.PROOF.SERVICE or the exact language and format of that LBR form.
  - (3) **Electronic Signatures.** An electronic signature (“/s/” followed by the printed name) is allowed on the Proof of Service of Document page attached to the NOL as long as the person whose electronic signature is used is employed at the office/firm of the attorney whose CM/ECF live login password will be used to lodge the proposed order being served.
  - (4) **Limited Service Required.** Pursuant to LBR 9013-1(o)(3)(B), and LBR 9021- 1(b)(3)(A), a proposed order must be served only upon any person, entity, or attorney who filed an opposition to the moving

## Section 4 - LOU (Lodged Order Upload)

papers, or who was required to sign approval of a stipulation that resolved the motion or other request for relief. **There is no obligation to serve the proposed order on any other person or entity**, including a case trustee or the United States trustee.

- (5) Organizing Contact Information on Service List. Comply with LBR 9021-1(b) when organizing the list for the **Proof of Service of Document**:

- (A) Service by NEF on CM/ECF Parties. Whenever a NOL is filed via the court's CM/ECF system, CM/ECF users are served via an NEF as noted in section 3.8(b). Please list these recipients in Category 1 on the Proof of Service.
- (B) Service by Mail, Email, or Facsimile. Parties other than CM/ECF users must be served by regular, or overnight mail, or email/facsimile if permission has been obtained to serve documents by email/facsimile. Please list these recipients in Category 2 or 3 on the Proof of Service.

- (6) Judge's Copy. The presiding judge must always be listed on the proof of service for any NOL filed unless that NOL is an NOL concerning an order granting or denying a motion for relief from the automatic stay, or a motion to impose or continue the stay.

(c) **Format and Content of Order.**

(See order example in section 4.4(c), Exhibit 1 of this Manual).

- (1) Caption Page. All orders require a caption page in compliance with the formatting instructions identified in section 2.5(c) of this Manual:

Caption Page	
A.	Leave top right-hand corner (lines 1-7) blank, for use by clerk;
B.	Properly caption all parties, including debtor and adversary parties;
C.	Properly format the case or adversary proceeding number including the initials for the presiding judge;
D.	Title the order to be consistent with the request for relief, including, for example, "Order Granting Motion for." or "Order Approving Stipulation for..."; Do not include the word "Proposed" in the title of the order.
E.	Include a hearing date on all orders on which a hearing is or was scheduled, or when a future hearing date will be affected.

## Section 4 - LOU (Lodged Order Upload)

(2) Content of Order.

- (A) Comply with Ruling and Mandatory LBR Form. The content of any order must comply with the ruling made in court or the request for relief made via a non-hearing motion. If a court mandated LBR form order is required, do not change any of the pre-included language of the form. The exception would be the judge's signature line as noted in section 4.2(c)(2)(B) below.
- (B) No Signature Line for the Judge. Do not include a signature line for the judge. Instead, at the end of the content of the order, insert the symbol "###" to indicate that no further language is needed. Follow the example set forth below in section 4.4, Exhibit 1 of this Manual.
- (C) Leave Space for Judge's Electronic Signature. On the page which contains the symbol "###", please leave approximately 3 inches at the bottom of the page for placement of the judge's electronic signature.

(3) Proof of Service. Do not prepare a proof of service. See Notice of Lodgment procedure under section 4.2(b)(1).

(4) Notice of Entry of Order Do Not Attach a Notice of Entered Order and Service List to any order lodged. Parties who are registered CM/ECF users that have not opted out of electronic service will receive notice of the entered order via NEF, and the NEF itself will identify the parties who have received notice in this manner. The BNC will serve additional parties with notice of the entry of the order, and a BNC Certificate of Notice will appear on the relevant docket, reflecting the parties who were served and the manner in which they were served. If you believe that additional parties should receive notice of the entered order, after you receive an entered copy of the order, serve them yourself and prepare and file a proof of service reflecting the names, addresses and method of service that you used to deliver the entered order to these additional parties within 72 hours thereafter.

(d) **Orders Approving Stipulations.** Orders Approving Stipulations must be lodged separately from the stipulation according to the following procedure:

- (1) Obtain all necessary signatures on the Stipulation.
- (2) DO NOT prepare a combined Stipulation and Order, unless the stipulation is the court-approved "Adequate Protection Order



## Section 4 - LOU (Lodged Order Upload)

Attachment” to one of the court’s mandatory form orders granting relief from stay. In that event, it is sufficient to lodge the order with imaged signatures of all parties to the stipulation attached as an exhibit to the order. No separate stipulation need be filed.

- (3) File the Stipulation via CM/ECF with all necessary signatures, so that the only electronic signature (“/s/” followed by the printed name) is the signature of the CM/ECF registered attorney who is filing the stipulation via CM/ECF.
- (4) Prepare a separate Order Approving Stipulation in MS-WORD format.
- (5) In the text of the Order Approving Stipulation, indicate the complete title of the stipulation and docket number entry of the stipulation.
- (6) When uploading the electronic order, select the docket entry for the Stipulation as the relevant Motion type, UNLESS the stipulation resolves a motion. In that situation, select the docket entry for the motion that is being resolved.
- (7) Comply with all procedures in this section, 4.2.

**(e) Orders on Section 362 Motions re: Relief from Stay, Imposing or Continuing Stay.**

- (1) All Section 362 Orders are served electronically by the court via NEF to trustees, the United States trustee, and to the attorneys who are on the Electronic Mail Notice List for the particular bankruptcy case.
- (2) All Section 362 Orders are served by U.S. Mail on debtor and debtor’s attorney, if any, unless the attorney receives electronic notice via NEF.

**(f) Orders Granting Motions for Approval of Settlement Agreement, Sale Agreement, or Other Agreement or Plan.** Orders granting Motions for orders approving sale agreements, settlement agreements or other agreements or plans must be submitted according to the following procedure:

- (1) Do not attach any agreements or plans to the order;
- (2) Refer in the Order to the filing date and docket number of the motion or other filed document to which the agreement was attached and provide the exhibit number or letter used to refer to the agreement in that document.

## Section 4 - LOU (Lodged Order Upload)

(g) **Exhibits and/or Attachments to Order.** There are several methods for uploading an exhibit and/or attachment along with your electronic order. Exhibits and/or attachments must comply with the following:

- (1) **PDF Format.** A PDF formatted exhibit and or/attachment lodged along with the electronic order (such as signature pages of parties indicating approval of form of order, or a property description), must not exceed 10 pages unless otherwise approved by the presiding judge. **Once an exception has been approved by the presiding judge, contact the ECF Help Desk at (213) 894-2365 for instructions.**
- (2) **MS-WORD.** An exhibit may be uploaded in MS-WORD format as part of the proposed order as long as it does not exceed 10 pages. **DO NOT** upload a MS-WORD image.
- (3) **Other Exhibits.** If an exhibit exceeds 10 pages, the exhibit must be filed and referred to according to the following procedure.

(A) **Exhibit is attached to the motion.**

- (1) In the order, refer to the motion and the number or letter that identifies the exhibit.

(B) **Exhibit is not attached to the motion.**

- (1) Convert the exhibit to a PDF document and file it via CM/ECF by selecting the docket event "Exhibit";
- (2) Relate the exhibit to the applicable motion/application;
- (3) Provide a copy of the exhibit along with a judge's copy of the order and LOU receipt as specified under section 4.2(c) of this Manual; and
- (4) Contact the applicable judge's courtroom deputy and advise of submission of the exhibit.

(h) **Miscellaneous.** To ensure your order can be edited by the court, verify the following prior to uploading:

- (1) No Hyperlinks;
- (2) No Macros;
- (3) No Security;
- (4) Not a Read-Only document; and

- (5) Not Locked in any way.

### 4.3 Order Upload

- (a) **Access to the Lodged Order Screen.** CM/ECF Users can upload MS-Word formatted orders electronically on either a main bankruptcy case or adversary proceeding by using the Lodged Order Upload (LOU) feature (accessible from the Court's CM/ECF system). The uploading screen can be accessed under *Bankruptcy Events* menu (for bankruptcy cases) or *Adversary Events* menu (for adversary proceedings).
- (b) **Order Upload Screen.** The Order Upload screen enables the user to electronically lodge an order for the court on motions and certain non-motion types (e.g., petitions, disclosure statements, plans, and adversary complaints) that have been filed and recorded onto the CM/ECF docket.
- (c) **Linking the Proposed Order to Application CM/ECF Docket Entry.** The upload process requires the CM/ECF user to select the applicable CM/ECF docket entry that the order relates to. The same docket entry must be selected when filing the Notice of Lodgment. (See section 4.2(b) of this Court Manual).
- (d) **Rejected Order Upload.** If your proposed order is rejected or if there is something further that the court will require you to do before it will sign the order that was lodged, you may receive notification from the court either by e-mail or by telephone. The body of the e-mail may contain specific information stating the reason(s) for rejection or the additional steps that must be taken before the court will sign the order that was lodged. If a new corrected order needs to be uploaded, login to CM/ECF to "add" a new order. The unused order will NOT be docketed onto the Case Management ("CM") docket.

### 4.4 Quick Reference Guide for LOU

#### (a) **Uploading a Proposed Order.**

- (1) A proposed form of order electronically uploaded to the court via the LOU program must be lodged in Microsoft Word format (versions 2003, 2007, or 2010) (See *Exhibit 1* in this section of the Manual).

**Do not include a proof of service of the proposed form of order in the version that is uploaded through LOU. (If a NOL must be filed, the NOL that you separately file with a copy of the**

## Section 4 - LOU (Lodged Order Upload)

**proposed order is the court's record of who was served with the proposed order.) Do not include a Notice of Entered Order.**

- (2) If allowed, an exhibit and/or attachment may be uploaded in PDF format along with the order. (See section 4.2(g) of this Manual).

### **(b) Identifying Service Lists.**

- (1) If a party is a registered CM/ECF user they will only receive a Notice of Electronic Filing ("NEF") of the entered order.
- (2) The debtor and debtor's attorney, if any, will receive from the court a BNC notice of the order.
- (3) If a party requires notice and will not receive a BNC notice or an NEF, the lodging party must serve a copy of the entered order on these parties. (After this service has been accomplished, the lodging party should file a proof of service to this effect within 72 hours.)
- (4) The CM/ECF Mailing Information ("Mailing List"), accessible from the Utilities menu in CM/ECF, can be queried by both external CM/ECF users and internal court staff to determine how parties will receive notice of the entered order.
- (5) To query the CM/ECF Mailing Information, click on **Utilities > Mailings (under Misc) > Mailing Info for a Case**, input the relevant Bankruptcy or Adversary Proceeding number, then **Submit**. The mailing information for the specified case/adversary proceeding will appear with all parties found in CM/ECF, and will be listed under either the Electronic Mail Notice List ("EMNL"), the No Notice List, or the Manual Notice List ("MNL").

#### **(A) Bankruptcy Main Case.**

- (i) Parties listed under the EMNL will receive an NEF.
- (ii) Parties who are on a related adversary case and have asked **not** to receive notice/service for the lead bankruptcy case will appear under the "No Notice List."
- (iii) Parties listed under the MNL who are entitled to service must be served by the lodging party.
- (iv) The debtor(s) and debtor(s) attorney, although not listed in the CM/ECF Mailing Information, will receive

## Section 4 - LOU (Lodged Order Upload)

the entered order via the BNC, if the order is entered on a bankruptcy case docket.

- (v) Attorneys representing a party in a related adversary proceeding will appear on the CM/ECF Mailing Information for the main case but will not receive BNC notices for actions in the main case. They will, however, receive a BNC notice for actions in the adversary proceeding.

### (B) Adversary Proceedings.

- (i) All parties listed under the EMNL will receive an NEF.
- (ii) All parties listed under the MNL with a complete mailing address will receive a BNC notice.

### (C) Miscellaneous Information.

- (i) Do not provide the court with envelopes for its use in connection with the service of any entered orders.
- (ii) A BNC notice will NOT be sent to any incomplete or duplicate address. In this case, the BNC Certificate of Notice acknowledges the party, but lists the party under "Bypassed Recipients," and states the reason for bypassing the party as either undeliverable or duplicate.
- (iii) To quickly identify whether a name appears in the CM/ECF Mailing Information list, use the control function, Ctrl+F. Type in the last name of the party and click "*Find Next*." The system will automatically highlight the name if it appears on either the EMNL or MNL.
- (iv) An NEF will be sent to all registered CM/ECF users who appear when querying the EMNL of the CM/ECF Mailing Information for a main case for actions in both the main case and an adversary proceeding.

- (c) **Processing of Entered Orders.** Once signed by the judge, the order will be entered on the court's docket by the Clerk's Office. Within 72 hours, the BNC Certificate of Notice will appear on the court's docket.

*EXHIBIT 1*

1	Joe Attorney	
2	1234 Main Street	
3	Los Angeles, CA 90012	
4	(213) 555-1234	
5	Attorney for Debtor	
6		
7		
8		
9		
10		
11	In re	Case No.: 6:08-10000-XX
12	JOHN DOE,	Chapter 13
13		<b>ORDER GRANTING DEBTOR'S MOTION TO</b>
14		<b>DISALLOW CLAIM OF PROGRESSO CANNERY</b>
15		Hearing Date: October 1, 2008
16		Hearing Time: 10:00 a.m.
17	Debtor.	Courtroom: 5175
18		Ronald Reagan Federal Building
19		411 West Fourth Street
20		Santa Ana, CA 92701-4593
21		
22		
23		
24		
25		

A hearing was held on October 1, 2008 on Debtor's Motion to Disallow Claim of Progresso Cannery ("Motion"). Appearances were noted on the record. Based upon the findings and conclusions made at the hearing, **IT IS ORDERED** that the Motion is granted.

###

- 1 -

## 4.5 Noticing Terminology Glossary

- (a) **BNC Notice.** A notice from the court (either in paper or e-mail) delivered by the Bankruptcy Noticing Center (BNC), a government contractor, from a computer file prepared by CM/ECF (the court's case management system).
- (b) **Certificate of Notice.** Evidence that ***the court, or its agent,*** has performed their noticing/service duty.
- (c) **CIAO!** A windows-based application developed by the U. S. Bankruptcy Court for the Central District of California for scheduling and calendaring hearings, and for processing electronic orders.
- (d) **CM/ECF Mailing Information (Mailing List) on a Main Case.** A list of names known to CM/ECF used for noticing. May include parties who are not entitled ("over service") and may ***exclude parties*** who are entitled to service ("under service").
  - (1) The list contains two sections:
    - (A) The *Electronic Mail Notice List (EMNL)* which identifies parties receiving an NEF; and
    - (B) The Manual Notice List (MNL) which identifies parties to be served via a BNC notice or by the party lodging an order.
  - (2) If an Adversary Proceeding is filed, the attorney for the plaintiff and/or defendant will appear on the list of the related main case. They will NOT, however, receive a BNC notice for main case actions.
- (e) **CM/ECF Mailing Information (Mailing List) on an Adversary Proceeding.** A list of names known to CM/ECF used for noticing which are exclusive to the adversary proceeding. May ***include parties*** who are not entitled ("over service") and may ***exclude parties*** who are entitled to service ("under service"). Noticing works the same as the Main Case Mailing List, except applies to Adversary Proceedings.
- (f) **CM/ECF Party List.** All persons or entities known to CM/ECF that have filed a document in the case, including those filing a request for Courtesy NEF.
- (g) **Creditor List.** Every creditor in the case.
- (h) **Electronic Bankruptcy Notice (EBN).** An electronic form of notice generated by the BNC.

## Section 4 - LOU (Lodged Order Upload)

- (i) **Electronic Notice List (ENL)**. A list of parties in CM/ECF that receive email notice service in a particular case (see CM/ECF) screen sample in Section 4.4(b)).
- (j) **Electronic Service**. Electronic service by way of a Notice of Electronic Filing (“NEF”), or an electronic notice from the Bankruptcy Noticing Center (BNC/EBN).
- (k) **Entered Order**. An order that has either been signed or approved for entry by a judge and subsequently entered on the court docket.
- (l) **Lodged Order**. A proposed form of order that has been submitted to the court for judicial review and is not yet signed or entered on the court docket.
- (m) **Lodge Order Upload (LOU)**. An Internet based program that allows CM/ECF users to lodge proposed form of orders with the court.
- (n) **LOU Receipt**: A screen presentation in LOU indicating successful upload of a proposed form of order. It should be printed and serves as a receipt.
- (o) **Mailing Matrix**. A superset mailing list that includes all parties on the Creditors List and CM/ECF Party List.
- (p) **Manual Notice List (MNL)**. A list of parties in CM/ECF that do not receive electronic notice in a particular case and, therefore, must be served manually (see CM/ECF screen sample in Section 4.4(b)).
- (q) **Notice of Electronic Filing (NEF)**. A notice of electronic filing transmitted directly by CM/ECF via e-mail to all registered CM/ECF users who are parties to the case indicating that a transaction occurred on CM/ECF.
- (r) **No Notice List**. A list of parties in CM/ECF who have asked not to receive any notices in a particular case (see CM/ECF screen sample in Section 4.4(b)).
- (s) **Notice of Entry**. Clerk’s Office certification on the docket that an order was entered and signed by the court.
- (t) **Notice of Lodgment (NOL)**. LBR forms (F9021-1.2.BK.NOTICE.LODGMENT for bankruptcy cases or LBR form F 9021-1.2.ADV.NOTICE.LODGMENT for adversary proceedings) filed via CM/ECF, to which a copy of an order that will be or has been lodged must be attached. (The order must still be separately lodged.) As the NOL is docketed and linked to the applicable motion, a record is created of the lodged order or judgment and the parties served with the lodged order or judgment.



- (u) **Proof of Service.** The certification by a party, usually *an attorney*, indicating completion of their noticing/service duty on all pertinent parties.
- (v) **Service List.** The list of parties that are to be served that may be included with the Proof of Service or Certificate of Notice.

#### 4.6 **Orders Served through the Bankruptcy Noticing Center (BNC)**

- (a) **Notice and Service by Mail.** The Bankruptcy Noticing Center will give notice of the entry of the judgment or order by mail only as follows:
  - (1) **Bankruptcy Cases.** The BNC will send notice of an order ONLY to the debtor and debtor's attorney (when not a registered CM/ECF User).
  - (2) **Adversary Proceedings.** A complete street address must be listed on the CM/ECF docket for an adversary proceeding in order for the BNC to deliver notice of an order. If an address is missing or incomplete, the BNC will not deliver a notice to that party or attorney. Please contact 1-855-460-9641, if there is an address missing from the docket.
    - (A) **Parties.** The BNC will send notice of an order to all plaintiffs and all defendants whose complete street addresses are listed on the CM/ECF docket for the adversary proceeding.
    - (B) **Attorneys.** The BNC will send notice of an order to attorneys who do not receive notices electronically by NEF, if a complete address is listed on the CM/ECF docket for the adversary proceeding.
- (b) **Notice and Service on other Parties.** Any persons or entities who (1) do not receive orders by NEF, (2) who are entitled to such service of an order or judgment pursuant to FRBP 9022 and LBR 9021-1(b), and (3) will not be served by BNC, must be served as follows:
  - (1) **Lodged Party Serves the Order or Judgment.** If a party lodges the order, that party must promptly serve the order on that person or entity and file a Proof of Service of Document within 72 hours from entry of the order or judgment.
  - (2) **Court Serves the Order or Judgment.** If the court prepares the order, and the person or entity does not receive service via NEF, the court will send the order by U.S. mail to that person or entity.

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## **5 Other Court Technology**

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### 5.1 Web Site

The website for the United States Bankruptcy Court for the Central District of California is <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>. The court provides this site as a public service, offering convenient public access to court reports, court news and information, local bankruptcy rules and forms, general orders, public notices, written opinions, and other information that is of interest to the public.

### 5.2 PACER (Public Access to Court Electronic Records)

- (a) **Internet-Based System.** PACER is an Internet-based system that enables registered users to view and print case information and images of the most often requested case file documents for a fee.
- (b) **Retrieving Case Information.** Users can retrieve the following case information:
  - (1) Case number;
  - (2) Adversary proceeding number;
  - (3) Name of debtor and last four digits of the Debtor's Social Security Number or Tax Identification Number (if applicable);
  - (4) Bankruptcy case and adversary proceeding dockets and claims registers;
  - (5) Judges' calendars and tentative rulings, if available;
  - (6) Images of most case file documents including all orders and bankruptcy petitions and other than those items specifically excluded from electronic filing per the court's administrative order; and
  - (7) Case status and other pertinent information such as § 341(a) meeting date, complaint bar date, discharge or dismissal date (if applicable), debtor's attorney, assigned trustee, fees paid to professionals, etc.
- (c) **PACER Registration.** To access PACER information, users may register from the website, <[www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)>, or by calling the PACER Service Center at (800) 676-6856, Monday through Friday, 8:00 a.m. to 5:00 p.m. (Central Time).

## Section 5 - Other Court Technology

### (d) Requirement for PACER.

Item	Requirement
Computer	Any computer system that has an Internet connection.
Printer	Any printer compatible with your computer.
Browser	Javascript enabled web browser
Internet Service Provider (ISP)	An Internet connection. Examples of ISPs include AOL, MSN, Earthlink, Compuserve, etc.

### (e) Accessing CM/ECF PACER.

- (1) From the court's website, <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> select **E-Filing (CM/ECF)** to access the login screen.



- (2) From the CM/ECF PACER page, select *Central District of California Document Filing System*:

### (f) CM/ECF PACER Fees.

The cost of CM/ECF PACER is \$0.10 per page, not to exceed the fee for 30 pages. For billing purposes, a page is defined as 54 lines per page (without HTML formatting). Images will be billed according to the number of pages scanned; therefore, one scanned page equals one billable page.

### 5.3 Teleconferencing

- (a) **Availability.** A number of judges at the court accommodate counsel or other parties by making telephonic appearances available, within guidelines, for those unable to appear in the courtroom. To determine if a judge offers telephonic appearances and obtain specific telephonic appearance procedures, contact the appropriate courtroom deputy. (See *Appendix A.*)
- (b) **Connection.** All remote parties are connected to the courtroom sound system, and their participation is recorded as part of the official court record.
- (c) **Procedures and Contact Information.** Some of the participating judges provide telephonic appearance procedures and contact information on the court's website, [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) Information->Judges' Procedures/Information.
- (d) **Fees.** Users of telephonic appearance services are responsible for all expenses charged by vendors.

### 5.4 Videoconferencing

- (a) **Availability.** Videoconferencing is provided by the court in every division to accommodate counsel or other parties that are unable to appear in the courtroom. Videoconferencing uses two-way audio and video monitors to connect parties between a courtroom and an off-site location.
- (b) **Connection.** All remote parties are connected to the courtroom video system, and their participation is recorded as part of the official court record.
- (c) **Procedures and Contact Information.**
  - (1) **Obtain approval for scheduling a videoconference court hearing.** Approval to use videoconferencing must be obtained to utilize the system. Contact the judge's courtroom deputy or law clerk to request approval for scheduling a videoconference hearing. See *Appendix A* for courtroom deputy/law clerk contact information.
  - (2) **Test the videoconferencing equipment and connection.**
    - (A) A connection test between the off-site location and the court must be conducted before scheduling a hearing. The test will

## Section 5 - Other Court Technology

determine if equipment between the locations is compatible. It also allows the users to gain familiarity with the videoconferencing equipment and process.

- (B) Contact the court's Courtroom Technology Specialist at (213) 894-8264 to schedule a test date or discuss technical issues. System compatibility must be confirmed before a hearing date is scheduled.
- (3) Schedule the videoconference hearing. Contact the judge's courtroom deputy to schedule the videoconference hearing. Be sure to inform the courtroom deputy that all videoconferencing requirements specified by the court's Courtroom Technology Specialist have been met. The courtroom deputy will provide the procedures and time frames for connecting to the hearing.
- (d) **Fees.** Ordinarily, the court will not charge a fee for the use of videoconferencing. However, if videoconferencing results in the imposition of charges on the judiciary, then the party seeking permission for videoconferencing may be required to pay those costs. Users of videoconference appearance services are responsible for all expenses charged by vendors.
- (e) **Technical Specifications.**
  - (1) Comply with the telecommunications industry standard H.320 specification for videoconferencing via the ISDN circuits.
  - (2) Have a minimum of three BRI (Basic Rate Interface) circuits with a total circuit equivalent to 384Kbs bandwidth.
  - (3) Connect using either of the following methods:
    - (A) Bonding 0 (using all six telephone numbers); or
    - (B) Bonding 1 (using one telephone number).
  - (4) Have the capability of properly viewing all litigants attending and/or participating in the hearing.
  - (5) Have a microphone system capable of properly picking up the voices of all participants.



## 5.5 **VCIS (Voice Case Information System)**

### (a) **What is VCIS?**

- (1) The Voice Case Information System (VCIS) enables the public to directly access the court's case management system from a touch-tone telephone. This service is provided free of charge and is available 24 hours a day, 7 days week.
- (2) Case information is available approximately 24 hours after the case has been filed. A computer-synthesized voice relays the information to the caller. VCIS provides the following bankruptcy information:
  - (A) Case number
  - (B) Names of debtors
  - (C) Case filing date
  - (D) Case chapter
  - (E) Name, address, and telephone number of debtor's attorney
  - (F) Name of trustee
  - (G) Name of assigned judge
  - (H) Discharge and closed dates
  - (I) Case status
  - (J) Asset information

- (b) **Using VCIS.** Using a touch-tone telephone, dial the toll free number at (866) 222-8029 and follow the computer-synthesized voice prompts.

## 5.6 **Automated Telephone System**

- (a) **Recorded General Information.** The court's automated telephone system (855) 460-9641, enables callers to access recorded general information about the court (see section 5. 6(c) of this manual). Callers may obtain:
- (1) General information regarding filing, claims, motions, and adversary proceedings;
  - (2) Court locations;
  - (3) Information about incomplete and emergency filings;
  - (4) Court fees and Fee Acceptance Policy;
  - (5) Records and case status information;
  - (6) Tape and transcript information; and
  - (7) Calendar and hearing matter information.
- (b) **Other Languages.** The Los Angeles and San Fernando Valley Divisions offer some information in Spanish. By pressing menu option **zero**, the caller will be transferred to a customer service representative during regular business hours (Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding federal holidays).
- (c) **Court's Call Center.** The court has established a Call Center that can be reached at the toll free telephone number (855) 460-9641. The Call Center handles calls from the public for the court's Los Angeles, Riverside, Santa Ana, Northern, and San Fernando divisions. The Call Center provides automated access to commonly requested information such as how to obtain free or low cost legal assistance, court locations, attorney information, credit reporting and fraud, fee and check acceptance policy. The automated service is available 24 hours a day, 7 days a week. Call Center operators are available from 9:00 am to 4:00 pm, Monday through Friday, excluding federal holidays and other published court closures.
- (d) **Online Chat.** The court has an online chat feature that is available through the court's website, [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov). Online chat operators answer the same types of questions as the court's Call Center and are available from 9:00 am to 4:00 pm, Monday through Friday, excluding federal holidays and other published court closures.

## **6 Forms (Official Bankruptcy Forms, Local Bankruptcy Rules Forms, Other Forms)**

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## **6.1 Obtaining Copies of Forms**

Official Bankruptcy Forms must be used to file and take action in bankruptcy cases. Local Bankruptcy Rules Forms must be used if mandated by the court in a bankruptcy case or proceeding pending in the United States Bankruptcy Court for the Central District of California. Mediation Forms and other court-approved forms may also be necessary for use during the course of some bankruptcy or adversary proceedings. Some judges also have forms for use in their cases that are listed on their webpage on the court's website under the *Judges* tab. All of these forms may be downloaded free of charge from the court's website at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) -> *Forms*.

## **6.2 Forms for Filing a Bankruptcy Case**

A combination of different forms must be used to file a voluntary bankruptcy case, including a Voluntary Petition, schedules, and statements. Bankruptcy Petition Packages include basic instructions and all of the forms required to file a bankruptcy case under the three most common chapters of bankruptcy in the Central District of California: chapter 7, chapter 11, and chapter 13

## **6.3 Local Bankruptcy Rules (LBR) Forms**

LBR forms are approved by the Central District of California Bankruptcy Court. Each LBR form is numbered to correspond to a related LBR (e.g., F 3015-1.1 is related to LBR 3015-1).

## **6.4 Mediation Forms**

Mediation forms have been approved for use in the Central District of California's Bankruptcy Mediation Program.

## **6.5 Official Bankruptcy Forms**

Official Bankruptcy Forms are approved by the Judicial Conference of the United States to file and take action in bankruptcy cases and adversary proceedings. For more information, such as instructions and committee notes, please visit the forms page on the United States Courts website at [www.uscourts.gov](http://www.uscourts.gov).

## **6.6 Other Forms**

In addition to bankruptcy-related forms listed above, the Central District of California Bankruptcy Court has approved other forms for use in the administration of a case, or has modified Official Bankruptcy Forms.

## **6.7 Proof of Claim Forms**

Proof of Claim forms are often-used as Official Bankruptcy Forms that may be filed by creditors in a case. Creditors will be provided with a notice if and when a Proof of Claim should be filed in a case as well as the deadline for filing a Proof of Claim. Instructions are included on Proof of Claim forms.

# **Appendix A: Telephone Directory & Court Locations**

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## 1.0 United States Bankruptcy Court Central District of California

Edward R. Roybal Federal Building and Courthouse  
255 East Temple Street  
Los Angeles, CA 90012

### 1.1 Clerk's Office Administration

#### a. **Executive Management**

Executive Officer/Clerk of Court..... (213) 894-6244  
Secretary to Executive Officer/Clerk of Court..... (213) 894-3354  
Chief Deputy, Administration..... (213) 894-1175  
Chief Deputy, Operations..... (213) 894-3257  
Senior Deputy-in-Charge ..... (213) 894-7318

#### b. **ADA Officer:**

Legal Analyst..... (213) 894-8894

#### c. **CM/ECF Help Desk**..... (213) 894-2365

#### d. **Human Resources**

Receptionist..... (213) 894-0213  
24-Hour Job Information Line..... (213) 894-3129

## 2.0 Los Angeles Division

Edward R. Roybal Federal Building and Courthouse  
255 East Temple, Suite 940  
Los Angeles, CA 90012

### 2.1 Clerk's Office

#### a. General Information

Automated Telephone System; Self-Calendaring..... (213) 894-3118  
Voice Case Information System (VCIS)  
24-Hour Access ..... (866) 222-8029

#### b. Administration

Deputy-in-Charge..... (213) 894-1156

#### c. ADA Officer

Legal Analyst ..... (213) 894-8894

#### d. Division Manager

Supervisor (Bluebond, Brand, Klein, Kwan, Neiter  
and Zurzolo Teams)..... (213) 894-2008  
Supervisor (Bason, Saltzman, Donovan, Robles  
and Russell Teams) ..... (213) 894-1435

#### e. Case Initiation (Intake and Records)

Supervisor..... (213) 894-6751  
Supervisor..... (213) 894-3141

### 2.2 Judges, Chambers and Courtroom Services Staffs

#### a. Chief Judge Sheri Bluebond (BB), Courtroom 1475

Chambers ..... (213) 894-8980  
Law Clerk..... (213) 894-8981  
Law Clerk..... (213) 894-8982  
Courtroom Deputy..... (213) 894-3688  
Court Recorder Contact ..... (213) 894-1480

#### b. Judge Neil W. Bason (NB), Courtroom 1545

Chambers ..... (213) 894-6098  
Law Clerk..... (213) 894-4951  
Law Clerk..... (213) 894-6084  
Courtroom Deputy..... (213) 894-4085  
Court Recorder Contact ..... (213) 894-1539

#### c. Judge Julia W. Brand (WB), Courtroom 1375

Chambers ..... (213) 894-6080  
Law Clerk..... (213) 894-1481

	Law Clerk.....	(213) 894-3592
	Courtroom Deputy.....	(213) 894-7341
	Court Recorder Contact .....	(213) 894-1431
<b>d.</b>	<b>Judge Thomas B. Donovan (TD), Courtroom 1345</b>	
	Chambers .....	(213) 894-3728
	Law Clerk.....	(213) 894-3746
	Law Clerk.....	(213) 894-1577
	Courtroom Deputy.....	(213) 894-6172
	Court Recorder Contact .....	(213) 894-5011
<b>e.</b>	<b>Judge Sandra R. Klein (SK), Courtroom 1575</b>	
	Chambers .....	(213) 894-7741
	Law Clerk.....	(213) 894-0992
	Law Clerk.....	(213) 894-0994
	Courtroom Deputy.....	(213) 894-5856
	Court Recorder Contact .....	(213) 894-4532
<b>f.</b>	<b>Judge Robert Kwan (RK), Courtroom 1675</b>	
	Chambers .....	(213) 894-2775
	Law Clerk.....	(213) 894-2577
	Law Clerk.....	(213) 894-2578
	Courtroom Deputy.....	(213) 894-3385
	Court Recorder Contact .....	(213) 894-1295
<b>g.</b>	<b>Judge Richard M. Neiter (RN), Courtroom 1645</b>	
	Chambers .....	(213) 894-4080
	Law Clerk.....	(213) 894-4082
	Law Clerk.....	(213) 894-1804
	Courtroom Deputy.....	(213) 894-5860
	Court Recorder Contact .....	(213) 894-1276
<b>h.</b>	<b>Judge Ernest M. Robles (ER), Courtroom 1568</b>	
	Chambers .....	(213) 894-1522
	Law Clerk.....	(213) 894-0294
	Law Clerk.....	(213) 894-0295
	Courtroom Deputy.....	(213) 894-4843
	Court Recorder Contact .....	(213) 894-6233
<b>i.</b>	<b>Judge Barry Russell (BR), Courtroom 1668</b>	
	Chambers .....	(213) 894-6091
	Law Clerk.....	(213) 894-6092
	Law Clerk.....	(213) 894-6093
	Courtroom Deputy.....	(213) 894-3687
	Court Recorder Contact .....	(213) 894-7202

**j. Judge Deborah Saltzman (DS) Courtroom 1339**

Chambers ..... (213) 894-3021  
Law Clerk..... (213) 894-3022  
Law Clerk..... (213) 894-3004  
Courtroom Deputy..... (213) 894-0995  
Court Recorder Contact ..... (213) 894-3303

**k. Judge Vincent P. Zurzolo (VZ), Courtroom 1368**

Chambers ..... (213) 894-3755  
Law Clerk..... (213) 894-3721  
Law Clerk..... (213) 894-3635  
Courtroom Deputy..... (213) 894-5855  
Court Recorder Contact ..... (213) 894-3150

### 3.0 Riverside Division

3420 Twelfth Street, Room 125  
Riverside, CA 92501-3819

#### 3.1 Clerk's Office

##### a. General Information

Automated Telephone System; Self-Calendaring..... (951) 774-1000  
Voice Case Information System (VCIS)  
24-Hour Access ..... (866) 222-8029

##### b. Administration

Deputy-in-Charge..... (951) 774-1005  
Secretary to Deputy-in-Charge..... (951) 774-1002  
Operations Manager ..... (951) 774-1003  
Operations Supervisor ..... (951) 774-1007  
Case Initiation Supervisor ..... (951) 774-1101

##### c. ADA Officer

Legal Analyst ..... (213) 894-8894

#### 3.2 Judges, Chambers, and Courtroom Services Staff

##### a. Judge Scott C. Clarkson (SC), Video Hearing Room 126

Chambers ..... (714) 338-5460  
Law Clerk..... (714) 338-5463  
Law Clerk..... (714) 338-5461  
Courtroom Deputy..... (951) 774-1097  
Court Recorder Contact ..... (951) 774-1097

##### b. Judge Mark M. Houle (MH), Courtroom 303

Chambers ..... (951) 774-1021  
Law Clerk..... (951) 774-1022  
Law Clerk..... (951) 774-1023  
Courtroom Deputy..... (951) 774-1085  
Court Recorder Contact ..... (951) 774-1085

##### c. Judge Wayne E. Johnson (WJ), Courtroom 304

Chambers ..... (951) 774-1031  
Judicial Assistant ..... (951) 774-1031  
Law Clerk..... (951) 774-1028  
Courtroom Deputy..... (951) 774-1098  
Court Recorder Contact ..... (951) 774-1098

##### d. Judge Meredith A. Jury (MJ), Courtroom 301

Chambers ..... (951) 774-1043  
Judicial Assistant ..... (951) 774-1044  
Law Clerk..... (951) 774-1045  
Courtroom Deputy..... (951) 774-1091

Court Recorder Contact ..... (951) 774-1091

- e. Judge Mark S. Wallace (MW), Video Hearing Room 225**  
Chambers ..... (714) 338-5470  
Law Clerk ..... (714) 338-5471  
Law Clerk ..... (714) 338-5473  
Courtroom Deputy ..... (951) 774-1097  
Court Recorder Contact ..... (951) 774-1097
- f. Judge Scott H. Yun (SY), Courtroom 302**  
Chambers ..... (951) 774-1026  
Law Clerk ..... (951) 774-1027  
Law Clerk ..... (951) 774-1029  
Courtroom Deputy ..... (951) 774-1075  
Court Recorder Contact ..... (951) 774-1075

## 4.0 Santa Ana Division

411 West Fourth Street, Suite 2030  
Santa Ana, CA 92701-4593

### 4.1 Clerk's Office

#### a. General Information

Automated Telephone System; Self-Calendaring..... (714) 338-5300  
Voice Case Information System (VCIS)  
24-Hour Access ..... (866) 222-8029

#### b. Administration

Operations Manager ..... (714) 338-5341  
Secretary to Operations Manager ..... (714) 338-5350  
Operations Supervisor ..... (714) 338-5390  
Courtroom Technology Specialist (Videoconferencing) ..... (714) 338-5345

#### c. ADA Officer

Legal Analyst ..... (213) 894-8994

### 4.2 Judges, Chambers and Courtroom Services Staff

#### a. Judge Theodor C Albert (TA), Courtroom 5B

Chambers ..... (714) 338-5430  
Judicial Assistant ..... (714) 338-5430  
Law Clerk..... (714) 338-5432  
Courtroom Deputy..... (714) 338-5383  
Court Recorder Contact ..... (714) 338-5381

#### b. Judge Catherine E. Bauer (CB), Courtroom 5D

Chambers ..... (714) 338-5450  
Courtroom Deputy..... (714) 338-5366  
Court Recorder Contact ..... (714) 338-5370

#### c. Judge Scott C. Clarkson (SC), Courtroom 5C

Chambers ..... (714) 338-5460  
Law Clerk..... (714) 338-5463  
Law Clerk..... (714) 338-5461  
Courtroom Deputy..... (951) 774-1097  
Court Recorder Contact ..... (951) 774-1097

#### d. Judge Erithe Smith (ES), Courtroom 5A

Chambers ..... (714) 338-5440  
Judicial Assistant ..... (714) 338-5441  
Law Clerk..... (714) 338-5443  
Courtroom Deputy..... (714) 338-5360  
Court Recorder Contact ..... (714) 338-5361

- e. **Judge Mark S. Wallace (MW), Courtroom 6C**
- |                                     |                |
|-------------------------------------|----------------|
| Chambers .....                      | (714) 338-5470 |
| Law Clerk.....                      | (714) 338-5471 |
| Law Clerk.....                      | (714) 338-5473 |
| Courtroom Services Specialist ..... | (714) 338-5378 |
| Court Recorder Contact .....        | (714) 338-5378 |



## 5.0 Northern Division

1415 State Street  
Santa Barbara, CA 93101-2511

### 5.1 Clerk's Office

#### a. General Information

Automated Telephone System; Self-Calendaring..... (805) 884-4800  
Voice Case Information System (VCIS)  
24-Hour Access ..... (866) 222-8029

#### b. Administration

Senior Deputy-in-Charge ..... (805) 884-4876  
Operations Manager ..... (805) 884-4885  
Information Systems Analyst..... (805) 884-4893  
Team Leader ..... (805) 884-4878

#### c. ADA Officer

Legal Analyst ..... (213) 894-8994

### 5.2 Judges, Chambers, and Courtroom Services Staff

#### a. Judge Peter H. Carroll (PC) Courtroom 201

Chambers ..... (805) 884-4860  
Law Clerk..... (805) 884-4861  
Law Clerk..... (805) 884-4868  
Calendar Contact..... (805) 884-4883  
Court Recorder Contact ..... (805) 884-4883

#### b. Judge Robin Riblet (RR), Courtroom 202

Chambers ..... (805) 884-4850  
Law Clerk..... (805) 884-4851  
Law Clerk..... (805) 884-4852  
Courtroom Deputy..... (805) 884-4873  
Court Recorder Contact ..... (805) 884-4873

#### c. Deborah J. Saltzman (DS) , Courtroom 202

Chambers ..... (805) 884-4850  
Law Clerk..... (805) 884-4851  
Law Clerk..... (805) 884-4852  
Calendar Contact..... (805) 884-4873  
Court Recorder Contact ..... (805) 884-4873

### 5.3 Courtroom Services Clerks

Select the last digit of the case number from the following table. The corresponding phone number will connect you to the clerk responsible for the case. For example, if the case number is ND94-10351-RR, select the telephone number for 51.

Digits 0 - 1 .....	(805) 884-4884
Digits 2 - 4 .....	(805) 884-4883
Digits 5 - 9 .....	(805) 884-4873

## 6.0 San Fernando Valley Division

21041 Burbank Boulevard  
Woodland Hills, CA 91367-6603

### 6.1 Clerk's Office

#### a. General Information

Automated Telephone System; Self-Calendaring..... (818) 587-2900  
Voice Case Information System (VCIS)  
24-Hour Access ..... (866) 222-8029

#### b. Administration

Senior Deputy-in-Charge ..... (818) 587-2811  
Administrative Assistant to Senior Deputy-in-Charge ..... (818) 587-2885  
Operations Manager ..... (818) 587-2805  
Operations Supervisor ..... (818) 587-2860

#### c. ADA Officer

Legal Analyst ..... (213) 894-8994

### 6.2 Judges, Chambers and Courtroom Services Staff

a. **Judge Alan M. Ahart (AA), (Recalled)**..... (818) 587-2853

#### b. Judge Martin R. Barash (MB), Courtroom 303

Chambers ..... (818) 587-2836  
Law Clerk..... (818) 587-2837  
Law Clerk..... (818) 587-2838  
Courtroom Deputy..... (818) 587-2853  
Court Recorder Contact ..... (818) 587-2866

#### c. Judge Victoria S. Kaufman (VK), Courtroom 301

Chambers ..... (818) 587-2823  
Law Clerk..... (818) 587-2823  
Law Clerk..... (818) 587-2826  
Courtroom Deputy..... (818) 587-2850  
Court Recorder Contact ..... (818) 587-2875

#### d. Judge Geraldine Mund (GM), (Recalled)

Chambers ..... (818) 587-2840  
Law Clerk..... (818) 587-2840  
Law Clerk..... (818) 587-2844  
Courtroom Deputy..... (818) 587-2832  
Court Recorder Contact ..... (818) 587-2820

#### e. Judge Kathleen Thompson (KT), (Recalled)

Law Clerk..... (818) 587-2823

**f. Judge Maureen A. Tighe (MT), Courtroom 302**

Chambers ..... (818) 587-2806  
Law Clerk..... (818) 587-2806  
Law Clerk..... (818) 587-2809  
Courtroom Deputy..... (818) 587-2832  
Court Recorder Contact ..... (818) 587-2820

## **Appendix B: Areas Served by the Central District of California**

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## 1.0 Areas served by the Central District of California

- 1.1 **Determining the Division for Filing a Bankruptcy Case.** Enter the zip code of the debtor's street address (not P.O. box) in the search feature of the court's website [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) to determine the division for filing a bankruptcy case in the Central District of California.
- 1.2 **Los Angeles Division.** Los Angeles County, except for the zip codes served by the Northern and San Fernando Valley Divisions. (see section 1.5)
- 1.3 **Riverside Division.** San Bernardino and Riverside Counties.
- 1.4 **Santa Ana Division.** Orange County.
- 1.5 **Northern Division.** Santa Barbara, San Luis Obispo Counties and most of Ventura County and a small portion of Los Angeles County. The cities of Simi Valley, Thousand Oaks, Westlake Village, Newbury Park, and Malibu are served by the Northern Division, regardless of whether the cities or zip codes are in Los Angeles County or Ventura County.
- 1.6 **San Fernando Valley Division.** The northwest portion of Los Angeles County and a small portion of Ventura County (see sections 1.6a and b for specific information about communities and zip codes served by the San Fernando Valley Division).

- a. The following communities are served by the San Fernando Valley Division:

Agoura Hills	Northridge	Sylmar
Calabasas	Oak Park	Tarzana
Canoga Park	Pacoima	Toluca Lake
Chatsworth	Palmdale <sup>1</sup>	Topanga
Edwards	Panorama City	Universal City
Encino	Reseda	Valley Village
Granada Hills	San Fernando	Valyermo
Lancaster <sup>2</sup>	Santa Clarita <sup>3</sup>	Van Nuys
Lebec	Sherman Oaks	West Hills
Mission Hills	Studio City	Winnetka
North Hills	Sun Valley	Woodland Hills
North Hollywood		

---

<sup>1</sup> Only for communities with zip codes 93599

<sup>2</sup> Only for communities with zip codes 93584, 93586

<sup>3</sup> Only for communities with zip codes 91383



b. The San Fernando Valley Division communities with the following zip codes:

90290	91330	91365	91407	91603
91301	91331	91367	91408	91604
91302	91333	91371	91409	91605
91303	91334	91372	91410	91606
91304	91335	91376	91411	91607
91305	91337	91377	91412	91608
91306	91340	91383	91413	91609
91307	91341	91388	91416	91610
91308	91342	91392	91423	91611
91309	91343	91394	91426	91612
91311	91344	91395	91436	91614
91312	91345	91396	91470	91615
91313	91346	91399	91482	91616
91316	91352	91401	91495	91617
91324	91353	91402	91496	91618
91325	91356	91403	91497	93093
91326	91357	91404	91499	93584
91327	91363	91405	91601	93586
91328	91364	91406	91602	93599
91329				

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## **Appendix C: Information about Assigned Trustee & U.S. Trustee**

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## 1.0 United States Trustee Information

- 1.1 The Office of the United States Trustee is an Executive Branch agency of the Department of Justice. Its responsibilities include monitoring the administration of bankruptcy cases and detecting bankruptcy fraud.
- 1.2 It is also responsible for appointing interim trustees (from a previously appointed panel of private individuals) to administer chapter 7 cases, lending support to and overseeing the Debtor in Possession in chapter 11 cases, and appointing standing trustees in chapter 13 cases.
- 1.3 See *Appendix D* for U. S. Trustee service addresses as required by FRBP 5003(e) and Local Bankruptcy Rule 2002-2(a)(4).
- 1.4 The locations and telephone numbers of the Office of the United States Trustee for the Central District of California are:

Division Served	Location and Telephone Number
Los Angeles	725 South Figueroa Street, 26th Floor Los Angeles, CA 90017 (213) 894-6811
Riverside	3801 University Avenue, Suite 720 Riverside, CA 92501 (951) 276-6990
Santa Ana	411 West Fourth Street, Suite 9041 Santa Ana, CA 92701 (714) 338-3400
Northern	128 E. Carrillo Street Santa Barbara, CA 93101 (805) 957-4100
San Fernando Valley	21051 Warner Center Lane, Suite 115 Woodland Hills, CA 91367 (818) 716-8800

- 1.5 For additional information regarding either the trustee program or individual trustees, contact the Office of the United States Trustee at:

United States Trustee  
725 South Figueroa Street, 26<sup>th</sup> Floor  
Los Angeles, CA 90017  
(213) 894-6811

**1.6** The locations of the trustee meeting rooms used for §341(a) meetings and other trustee matters are:

Division Served	Meeting Room Location	
Los Angeles	<b>Chapters 7 and 13</b> 915 Wilshire Blvd. 10 <sup>th</sup> Floor, Room 2 Los Angeles, CA 90017	<b>Chapter 11</b> 915 Wilshire Blvd. 10 <sup>th</sup> Floor, Room 1 Los Angeles, CA 90017
Riverside	3801 University Avenue Riverside, CA 92501	
Santa Ana	<b>Chapter 7</b> 411 West Fourth Street 3 <sup>rd</sup> Floor Santa Ana, CA 92701	<b>Chapters 11 and 13</b> 411 West Fourth Street 1 <sup>st</sup> Floor Santa Ana, CA 92701
Northern	128 East Carrillo Street Santa Barbara, CA 93101	
San Fernando Valley	21051 Warner Center Lane, 1 <sup>st</sup> Floor, Suite 115 Woodland Hills, CA91367	

## 2.0 List of Interim and Standing Trustees

If a case trustee has been assigned to a bankruptcy case, the trustee's name and contact information will be identified on page one of the case docket. For more information about case trustees and the United States trustee, please visit the U.S. Trustee website at <<http://www.usdoj.gov.ust/r16>>.

## 3.0 United States Trustee Guidelines and Forms

For information concerning United States Trustee local guidelines and forms, please visit the U.S. Trustee's website at [www.justice.gov/ust/eo/rules\\_regulations/guidelines/index.htm](http://www.justice.gov/ust/eo/rules_regulations/guidelines/index.htm).

## 4.0 Guidelines for Trustee Change of Address

**4.1** When a chapter 7 or chapter 13 trustee changes their address, the Court requires a letter from the trustee as follows:

- (a) letter must be on the trustee's stationery signed by the trustee
- (b) specify new address
- (c) specify effective date of the new address
- (d) specify any changes to telephone or fax numbers
- (e) address the letter to:

Kathleen J. Campbell, Executive Officer/Clerk of Court  
Edward R. Roybal Federal Building and U.S. Courthouse  
255 East Temple Street, Suite 1260  
Los Angeles, CA 90012

**4.2** To expedite processing of the change of address, email the signed letter to the ECF Support Desk at [ecf\\_support@cacb.uscourts.gov](mailto:ecf_support@cacb.uscourts.gov).

**4.3** Upon receipt, the Clerk's Office will update the trustee's CM/ECF Trustee Profile and the information used by the Court's Fiscal Department.

**4.4** A change of address by the trustee must also be made at the following non-court related entities by contacting them directly:

- (a) BNC -- call (877) 837-3424 for details.
- (b) PACER -- go to [www.pacer.gov](http://www.pacer.gov) then select Manage My Account.

For questions, please contact the ECF Support Desk at 213-894-2365, or send an email to [ecf\\_support@cacb.uscourts.gov](mailto:ecf_support@cacb.uscourts.gov).

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## **Appendix D: Register of Federal & State Government Unit Addresses [FRBP 5003(e)]**

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## **1.0 Federal Rules of Bankruptcy Procedure 5003(e)**

Pursuant to Federal Rules of Bankruptcy Procedure 5003(e) effective December 1, 2000, federal and state agencies filed a statement with the court designating their mailing addresses. See Local Bankruptcy Rule 2002-2 for related noticing requirements.

## **2.0 Federal Agencies**

### **2.1 Internal Revenue Service (IRS)**

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

### **2.2 Securities Exchange Commission**

U.S. Securities and Exchange Commission  
Attn: Bankruptcy Counsel  
444 South Flower Street, Suite 900  
Los Angeles, CA 90071-9591

### **2.3 United States Trustee**

- a. **Electronic Notice and Service.** The Office of the United States Trustee consented to electronic notice and service of documents, effective April 1, 2008 (see Public Notice 08-007). Therefore, service of documents by U.S. mail is not necessary in cases where a Notice of Electronic Filing is generated upon filing a document with the court electronically in CM/ECF, except as set forth in Local Bankruptcy Rule 2002-2(a)(3).
- b. **Notice and Service by U.S. Mail.** When service by U.S. mail is necessary, papers must be served on the Office of the United States Trustee at the following addresses:

1. **Papers in All Cases and Proceedings Assigned to Los Angeles Judges:**

United States Trustee  
915 Wilshire Blvd., Suite 1850  
Los Angeles, CA 90017

2. **Papers in All Cases and Proceedings Assigned to Santa Ana Division Judges:**

United States Trustee  
411 West Fourth Street, Suite 9041  
Santa Ana, CA 92701-4593

3. **Papers in All Cases and Proceedings Assigned to Riverside Division Judges:**

United States Trustee  
3801 University Avenue, Suite 720  
Riverside, CA 92501-3200

4. **Papers in All Cases and Proceedings Assigned to Northern Division and San Fernando Valley Judges:**

United States Trustee  
915 Wilshire Blvd., Suite 1850  
Los Angeles, CA 90017

**2.4 United States Attorney.** In contested matters and adversary proceedings involving the United States, the United States Attorney and Attorney General shall be served at the following addresses:

a. **Civil Process Clerk**

United States Attorney's Office  
Federal Building, Room 7516  
300 North Los Angeles Street  
Los Angeles, CA 90012

- b. **Attorney General**  
United States Department of Justice  
Ben Franklin Station  
P. O. Box 683  
Washington, DC 20044

### **3.0 State Agencies**

#### **3.1 State of California Employment Development Department**

Employment Development Department  
Bankruptcy Group MIC 92E  
P. O. Box 826880  
Sacramento, CA 94280-0001

#### **3.2 State of California Franchise Tax Board**

- a. **Service of Adversary Proceedings:**

Franchise Tax Board Chief Counsel  
c/o General Counsel Section  
P.O. Box 1720, MS: A-260  
Rancho Cordova, CA 95741-1720

- b. **Bankruptcy Code Section 505 Requests and All Other Service and Notices:**

Franchise Tax Board Bankruptcy Section, MS: A-340  
P. O. Box 2952  
Sacramento, CA 95812-2952

#### **3.3 State of California Board of Equalization**

- a. **Service of Adversary Proceedings:**

Executive Director  
State Board of Equalization  
450 N Street, MIC: 73  
Sacramento, CA 95814-0073

**b. Bankruptcy Code Section 505 Requests:**

State Board of Equalization  
Special Operations Bankruptcy Team, MIC: 74  
P.O. Box 942879  
Sacramento, CA 94279-0074

**c. All Other Service and Bankruptcy Notices:**

State Board of Equalization  
Account Information Group, MIC: 29  
P.O. Box 942879  
Sacramento, CA 94279-0029

## **4.0 Los Angeles County Treasurer and Tax Collector**

- 4.1 Los Angeles County Tax Collector.** The methods of making tax payments in Los Angeles County are set forth in the Tax Collector's web site at: **<http://ttc.lacounty.gov>**. Moreover, any taxpayer and/or bankruptcy counsel with questions on how to make tax payments may call 1(888) 807-2111. The correct and proper address to serve the Los Angeles County Tax Collector is:

Los Angeles County Tax Collector  
P. O. Box 54110  
Los Angeles, CA 90054-0110

## **Appendix E: Law Library Locations**

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## 1.0 Law Libraries

1.1 Law libraries are located throughout the Central District

1.2 At the time of publication, the location and hours of operation are as follows:

County	Location and Telephone Number	Hours of Operation
Los Angeles	<p>Court of Appeals Law Library 125 South Grand Avenue Pasadena, CA 91105 (626) 229-7192</p> <p>Edward R. Roybal Federal Building 255 East Temple Street Street Level, Room 132 Los Angeles, CA 90012 (213) 894-8900</p> <p>Los Angeles County Law Library 301 West First Street Los Angeles, CA 90012 (213) 629-3531</p>	<p>Monday – Friday, 8:30 a.m. - 5:00 p.m.</p> <p>Monday – Friday, 8:30 a.m. – 4:30 p.m.</p> <p>Monday – Friday, 8:30 a.m. – 6:00 p.m. Saturday, 9:00 a.m. – 5:00 p.m.</p>
Riverside	<p>Riverside County Law Library 3989 Lemon Street Riverside, CA 92501-3674 (951) 275-6390</p>	<p>Monday – Thursday, 8:00 a.m. – 7:00 p.m. Friday, 8:00 a.m. – 5:00 p.m. Saturday, 9:00 a.m. – 1:00 p.m.</p>
San Bernardino	<p>San Bernardino County Law Library 402 North "D" Street San Bernardino, CA 92401 (909) 885-3020</p>	<p>Monday – Thursday, 8:30 a.m. – 7:00 p.m. Friday, 8:30 a.m. – 5:00 p.m. Saturday, 9:00 a.m. – 3:00 p.m.</p>
San Luis Obispo	<p>San Luis Obispo County Law Library County Government Center 1050 Monterey Street, Room 125 San Luis Obispo, CA 93408 (805) 781-5855</p>	<p>Monday – Friday, 8:30 a.m. – 4:30 p.m. Saturday, 10:00 a.m. – 3:00 p.m.</p>
Santa Ana	<p>Orange Law Library Civic Center Plaza 515 North Flower Street, Building #32 Santa Ana, CA 92703 (714) 834-3397</p>	<p>Monday – Thursday, 8:00 a.m. – 8:00 p.m. Friday, 8:00 a.m. – 6:00 p.m. Saturday, 9:00 a.m. – 6:00 p.m.</p>

## Appendix E

County	Location and Telephone Number	Hours of Operation
Santa Barbara	Santa Barbara County Courthouse 1100 Anacapa Street Santa Barbara, CA 93101 (805) 568-2296	Monday – Friday, 8:00 a.m. – 5:00 p.m. Saturday, 12:00 p.m. – 4:45 p.m.
Ventura	Ventura County Law Library Government Center, Hall of Justice 800 South Victoria Avenue First Floor Ventura, CA 93009 (805) 642-8982	Tuesday - Wednesday, 8:00 a.m. – 8:00 p.m. Friday, 8:00 a.m. – 5:00 p.m. Saturday, 9:00 a.m. – 4:00 p.m.

## **Appendix F: Serving Judge's Copy of Documents**

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## 1.0 What is a Judge's Copy? [LBR 5005-2(d)]

- 1.1 **General Rule.** Local Bankruptcy Rule 5005-2(d) requires that a copy of every document filed must be served on the judge who presides over the bankruptcy case or adversary proceeding.
- 1.2 **Assembling a Judge's Copy.** A judge's copy must comply with **ALL** of the following:
- (a) **One Copy.** Do not send multiples copies of the same document.
  - (b) **Stapled or Bound.** Judge's copies must be stapled or securely bound, so that all pages are bound together. The clerk's office will not be scanning a judge's copy.
  - (c) **Tabs for All Exhibits and Declarations.** Insert a separate tab to identify each declaration and each separate authenticated exhibit. The goal is for the court to be able to quickly and easily reference all of the information you want the court to read.
  - (d) **Document has already been filed.**
    - (1) **Notice of Electronic Filing.** If the document was filed electronically via CM/ECF, the NEF must be attached to either the front or back of the judge's copy.
    - (2) **Filed Stamp on First Page.** If the document was filed at the intake window, the judge's copy must have a "Filed" stamp at the top right of the first page of the document.
  - (e) **Notice of Electronic Filing.** Attach the NEF to the back or to the front of the judge's copy. The goal is to show the court that the document has been filed electronically.
  - (f) **Sent Directly to the Judge.** Deliver the judge's copy to the address in the chart in section 4.0 below. Do not send a judge's copy to the clerk's office.
  - (g) **Sent Promptly.** Promptly deliver the judge's copy according to the deadlines in the chart in section 4.0 below. The goal is to promptly get your document to the court so that your request can be acted upon in a timely manner.

## 2.0 Which Filed Documents Require a Judge's Copy?

**2.1 Serve a Judge's Copy.** The following types of documents must be served upon the judge as these are documents that will assist the judge in making a ruling or entering an order. Examples are:

**(a) Documents to Request a Hearing.**

- (1) LBR 9075-1. Any document filed seeking a hearing set on an emergency or shortened notice basis.  
[See *LBR forms* **F 9075-1.APP.SHORT.NOTICE** and **F 9075-1.2.ORDER.**]
- (2) LBR 9013-1(o)(4). Any response requesting a hearing on a motion, application or notice that was filed using the "Opportunity to Request a Hearing" procedure.  
[See *LBR form* **F 9013-1.OPPOSITION.REQ.HEARING.**]

**(b) Documents Related to a Hearing on Calendar.** Any motion, response, reply, declaration, exhibits or stipulation that affects or resolves a matter on which a hearing has already been scheduled.

**(c) Documents to Request a Ruling Without a Hearing.**

- (1) LBR 1002-1(e). Motion for Protective Order to Restrict Access to Filed Documents Containing Personal Data Identifiers.  
[See *LBR form* **F 1003-2.MOTION.RESTRICT.PERS.ID.**]
- (2) LBR 3015-1(g). Debtor's Notice of Conversion of Bankruptcy Case from Chapter 13 to 7.  
[See *LBR form* **F 3015-1.21.NOTICE.CONVERT.CH13.**]
- (3) LBR 3015-1(w)(2). In chapter 13 cases, a declaration of service of motion or application to be ruled upon must be attached as an exhibit.  
[See *LBR form* **F 9013-1.2.NO.HEARING.DEC.**]
- (4) LBR 4001-1. Debtor's Application for Order Confirming that Loan Modification Discussion Will Not Violate Stay.  
[See *LBR form* **F 4006-1.6.DEBTOR.APP.LOAN.MOD.**]

- (5) LBR 5010-1. Any motion to reopen a bankruptcy case or adversary proceeding. When this involves extending time to file debtor's certification of completion of financial management course.  
[See *LBR form F 5010-1.1.MOTION.REOPEN.CERT.*]
- (6) LBR 9013-1(m). Motion to request continuance of a hearing.
- (7) LBR 9013-1(o)(3). Declaration of service of motion and lack of opposition and request for hearing. The motion or application to be ruled upon must be attached as an exhibit.  
[See *LBR form F 9013-1.2. NO HEARING.DEC.*]
- (8) LBR 9013-1(p). Motion, with supporting documents, to be ruled upon without a hearing under LBR 9013-1(p).
- (9) LBR 9013-1(q). Motion, with supporting documents, to be ruled upon without a hearing under LBR 9013-1(q).
- (d) Documents to Commence or Resolve an Adversary Proceeding. Any documents filed in an adversary proceeding, including the complaint, summons, responsive pleadings, status reports, pretrial stipulation, trial documents, stipulated judgments, etc.
- (e) Notice of Lodgment of Proposed Order or Judgment. These documents are filed when the proposed order or judgment relates to a motion or other request for relief that was opposed, or the parties stipulated to the terms of the order or judgment. See LBR 9021-1(b) and Court Manual section 4.2. For bankruptcy cases, see *LBR form F 9021-1.2.BK.NOTICE.LODGMENT*, and for adversary proceedings, *F 9021-1.ADV.NOTICE.LODGMENT*.
- (f) Chapter 11 Case Commencement Documents. Many judges need a judge's copy. Refer to the court's website to see if your judge does.
- (g) Other United States trustee documents ONLY NEEDED by certain judges. These are documents such as interim statements and operating reports. Check the judge's section of the court's website to verify.

**2.2 Don't Serve a Judge's Copy.** The following filed documents do not need to be served upon a judge, mainly because these documents do not assist a judge in making a ruling or entering an order. This is not an exhaustive list. Instead it is a list of documents that are often mistakenly served on the judge. The best practice is to see if a document is listed in the "Serve a judge's copy" section above, or see if the judge's section of the court's website indicates that it is needed. If you don't see your document identified in either of these locations, don't send it to the judge.

**(a) Case Commencement Documents.**

- (1) Chapter 7, 12, and 13 cases. Case commencement documents for voluntary chapter 7, 12 and 13 cases, including amended case commencement documents. [These include all documents identified in Court Manual sections 2.1(b), 2.1(e) and 2.1(f).]

**(b) Proofs of Claim.** Proofs of claim filed in any bankruptcy case are not needed, regardless of chapter.

**(c) Non-hearing Motion When the Response Deadline Has Not Passed.** Please wait until the response deadline has passed without any response or request for a hearing. THEN, file the declaration of service and non-response or request for a hearing, attach the motion as an exhibit and service this as a judge's copy.

- (1) Chapter 13. Motions/applications filed under LBR 3015-1(w).

- (2) Other Non-hearing Motions/Applications. This includes any motion/application filed under LBR 9013-1(o), or any motion/application which, under Local Bankruptcy Rules may be filed with a similar notice and opportunity procedure.

**(d) Documents Intended Only for the United States trustee.** A judge's copy is generally not needed of interim statements and operating reports required by the United States trustee in chapter 11 cases per LBR 2015-2(c). Check the judge's section of the court's website to see if these are needed.

**(e) Lodged Orders Upload or LOU Receipts.** As judges are being served with a Notice of Lodgment (NOL) when one is filed, you do not need to provide the judge with an additional copy of an order at the time it is uploaded through LOU or with a copy of the associated upload receipt.



- (f) Local Forms, National Forms and Other Forms. A judge's copy is not needed of the following Local Bankruptcy Rules Forms, National Forms and Other Forms:

LOCAL BANKRUPTCY RULES (LBR) FORMS	
F 2090-1.4.SUBSTITUTION.ATTY	Substitution of Attorney
F 3001.1.NOTICE.TRANSFER.CLAIM	Notice of Transfer of Claim Pursuant to FRBP 3001(e)
F 3007-1.2.NOTICE.REQ.CLAIM	Notice of Trustee's Debtor in Possession's Request for Copy of Proof of Claim
F 3015-1.7.RARA	Rights and Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys

NATIONAL FORMS	
Form B23 ( <i>Official Form 23</i> )	Debtor's Certification of Completion of Postpetition Instructional Course Concerning Personal Financial Management

OTHER FORMS	
Abstract of Judgment	
Certification of Judgment for Registration in Another District	
Change of Address	
Notice of Continuance of §341(a) Meeting of Creditors	
Request for Special Notice	
Writ of Execution	

### 3.0 Proof of Service of Judge's Copy of Documents [LBR 5005-2(d)]

**3.1** The Proof of Service of Document must indicate the date and manner in which the judge was served, and must be on Local Bankruptcy Rules (LBR) form **F 9013-3.1.PROOF.SERVICE** unless the Proof of Service of Document has been included in the LBR form being used.

**3.2 Judge's name on Proof of Service.**

Should I Put the Judge's Name on the Proof of Service?
<p><b>YES</b> - Use mandatory LBR Form <b>F 9013-3.1.PROOF.SERVICE</b> unless the "Proof of Service of Document" has been included in the LBR form being filed.</p> <p>The judge will be in either:</p> <ul style="list-style-type: none"><li>* <b>Category 2.</b> "Served by United States mail" or</li><li>* <b>Category 3.</b> "Served by Personal Delivery or Overnight Mail"</li></ul>

## 4.0 Deadline, Method, and Address to Serve the Judge

Consult the following charts to determine the deadline, the method, and address to serve the judge.

### 4.1 Deadline and Method

<b><i>What is the Deadline for Serving the Judge's Copy? What Methods Can I Use to Serve the Judge?</i></b>	
<p><b>If the document relates to a hearing, and the hearing is <u>14 days or more</u> after the document is filed:</b></p> <p>The document must be served on the judge no later than 24 hours after the document is filed, by personal delivery, overnight mail, or United States mail.</p>	<p><b>If the document relates to a hearing, and the hearing is <u>fewer than 14 days</u> after the document is filed:</b></p> <p>The document must be served on the judge no later than 24 hours after the document is filed, by personal delivery or overnight mail.</p> <p>In no event shall the document arrive in chambers later than 2 court days prior to the hearing.</p>
<p><b>If the document is <u>NOT</u> related to a hearing</b></p> <p>The document must be served on the judge no later than 24 hours after the document is filed, by personal delivery, overnight mail or United States mail.</p>	
<p><b>If the document is filed pursuant to LBR 9075-1</b></p> <p>The document must be served on the judge by personal delivery or overnight mail as soon as is practicable, but no later than 24 hours after the document is filed.</p>	

## 4.2 Judge's Address

At What Address do I Deliver the Judge's Copy?			
Division & Mailing Address	Judge Name	Suite# for Regular or Overnight Mail	Location for Personal Delivery
<b>LOS ANGELES DIVISION</b> U.S. Bankruptcy Court Roybal Federal Building 255 E. Temple Street Los Angeles, CA 90012	Neil W. Bason	1552	Bin outside of Suite 1552
	Sheri Bluebond	1482	Bin outside of Suite 1482
	Julia W. Brand	1382	Bin outside of Suite 1382
	Thomas B. Donovan	1352	Bin outside of Suite 1352
	Sandra R. Klein	1582	Bin outside of Suite 1582
	Robert Kwan	1682	Bin outside of Suite 1682
	Richard M. Neiter	1652	Bin outside of Suite 1652
	Ernest M. Robles	1560	Bin outside of Suite 1560
	Barry Russell	1660	Bin outside of Suite 1660
	Deborah J. Saltzman	1334	Bin outside of Suite 1334
	Vincent P. Zurzolo	1360	Bin outside of Suite 1360
<b>RIVERSIDE DIVISION</b> U.S. Bankruptcy Court 3420 Twelfth Street Riverside, CA 92501	Scott C. Clarkson	Use Judge Clarkson's Santa Ana Division address	
	Mark M. Houle	365	Bin outside of Courtroom 303
	Wayne Johnson	384	Bin outside of Courtroom 304
	Meredith A. Jury	325	Bin outside of Courtroom 301
	Mark S. Wallace	Use Judge Wallace's Santa Ana Division address	
	Scott H. Yun	345	Bin outside of Courtroom 302
<b>SANTA ANA DIVISION</b> U.S. Bankruptcy Court Ronald Reagan Federal Building 411 W. Fourth Street Santa Ana, CA 92701	Theodor C. Albert	5085	Bins for each judge by 5 <sup>th</sup> floor elevators
	Catherine E. Bauer	5165	
	Scott C. Clarkson	5130	
	Erithe A. Smith	5040	
	Mark S. Wallace	6135	Judge Wallace's mail slot by 6th floor elevators
<b>SAN FERNANDO VALLEY DIVISION</b> U.S. Bankruptcy Court 21041 Burbank Blvd Woodland Hills, CA 91367	Alan M. Ahart	216D	Bins for each judge on 1st floor outside entry to the Intake Section
	Martin R. Barash	342	
	Victoria S. Kaufman	354	
	Geraldine Mund	312	
	Kathleen Thompson	N/A	
	Maureen A. Tighe	324	
<b>NORTHERN DIVISION</b> U.S. Bankruptcy Court 1415 State Street Santa Barbara, CA 93101	Peter H. Carroll	Bin in Intake Section lobby	
	Robin L. Riblet		
	Deborah J. Saltzman	Use Judge Saltzman's Los Angeles Division address	

## **Appendix G: Helpful Hints**

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## 2009-001

Pursuant to LBR 1017-1(a) and 3015(q)(2)(A), it is no longer necessary to lodge a proposed order when filing a Debtor's Notice of Conversion under 11 U.S.C. §§ 1208(a) or 1307(a) if there is no previous conversion. Under our new procedure and rules effective January 5, 2009, the court will give notice of the conversion to all creditors, interested parties, and the United States trustee upon the filing by the debtor of the notice of conversion and a proof of service evidencing that the notice of conversion was served upon the chapter 13 trustee and the United States trustee.

## 2009-002

Attorneys should immediately contact the ECF Help Desk to request a new CM/ECF password and login when support staff (i.e., paralegal, legal assistant) leaves the firm or is no longer an authorized user. It is important to coordinate this request with the date of the employee's departure or reassignment to ensure there is no possibility of your password/login being breached. Attorneys must protect the security of their passwords and immediately notify the ECF Help Desk if they learn or suspect that their password and login have been comprised.

## 2009-003

To correct invalid addresses, the debtor or debtor's attorney, must file a Change of Address using the court's form B-1098. This form is available on the court's website at <http://www.cacb.uscourts.gov/>, under Other Forms, or at the Intake section of each division.

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## **Appendix H: Judges' Emergency Motion Contacts [LBR 9075-1(a)(2)]**

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**Designated Judges' Contacts for Obtaining a Hearing Date and Time  
for an Emergency Motion [LBR 9075-1(a)(2)]**

JUDGE	PRIMARY CONTACT	SECONDARY CONTACT
<b>LOS ANGELES DIVISION</b>		
<b>Bason</b> , Neil W.	Law Clerk - (213) 894-4951	Law Clerk - (213) 894-6084
<b>Bluebond</b> , Sheri	Law Clerk - (213) 894-8982	Law Clerk - (213) 894-8981
<b>Brand</b> , Julia W.	Law Clerk - (213) 894-1481	Law Clerk - (213) 894-3592
<b>Donovan</b> , Thomas B.	Law Clerk - (213) 894-1577	Law Clerk - (213) 894-3746
<b>Klein</b> , Sandra R.	Law Clerk - (213) 894-0992	Law Clerk - (213) 894-0994
<b>Kwan</b> , Robert	Law Clerk - (213) 894-2775	Law Clerk - (213) 894-2578
<b>Neiter</b> , Richard M.	Law Clerk - (213) 894-4080	Courtroom Deputy - (213) 894-5860
<b>Robles</b> , Ernest M.	Courtroom Deputy - (213) 894-4843	Law Clerk - (213) 894-0294
<b>Russell</b> , Barry	Courtroom Deputy - (213) 894-3687	Law Clerk - (213) 894-6093
<b>Saltzman</b> , Deborah J.	Law Clerk - (213) 894-3022	Law Clerk (213) 894-3004
<b>Zurzolo</b> , Vincent P.	Law Clerk - (213) 894-3635	Law Clerk - (213) 894-3755
<b>RIVERSIDE DIVISION</b>		
<b>Clarkson</b> , Scott C.	Law Clerk - (714) 338-5460	Law Clerk - (714) 338-5461
<b>Houle</b> , Mark M.	Law Clerk - (951) 774-1022	Law Clerk - (951) 774-1023
<b>Johnson</b> , Wayne E.	Law Clerk - (951) 774-1028	Judicial Assistant - (951) 774-1031
<b>Jury</b> , Meredith A.	Courtroom Deputy - (951) 774-1091	Judicial Assistant - (951) 774-1044
<b>Wallace</b> , Mark S	Law Clerk - (714) 338-5470	Law Clerk - (714) 338-5473
<b>Yun</b> , Scott H.	Courtroom Deputy - (951) 774-1075	Law Clerk - (951) 774-1027

<b>SAN FERNANDO VALLEY DIVISION</b>		
<b>Ahart, Alan M.</b>	Courtroom Deputy – (818) 587-2853	
<b>Barash, Martin R.</b>	Law Clerk – (818) 587-2837	Law Clerk – (818) 587-2838
<b>Kaufman, Victoria S.</b>	Law Clerk - (818) 587-2826	Law Clerk - (818) 587-2823
<b>Mund, Geraldine</b>	Law Clerk - (818) 587-2840	Law Clerk - (818) 587-2843
<b>Thompson, Kathleen</b>	Law Clerk - (818) 587-2823	
<b>Tighe, Maureen A.</b>	Law Clerk - (818) 587-2806	Law Clerk - (818) 587-2809
<b>SANTA ANA DIVISION</b>		
<b>Albert, Theodor C.</b>	Law Clerk - (714) 338-5432	Judicial Assistant - (714) 338-5430
<b>Bauer, Catherine E.</b>	Law Clerk - (714) 338-5450	Law Clerk - (714) 338-5450
<b>Clarkson, Scott C.</b>	Law Clerk - (714) 338-5460	Law Clerk - (714) 338-5461
<b>Smith, Erithe A.</b>	Law Clerk - (714) 338-5441	Law Clerk - (714) 338-5443
<b>Wallace, Mark S.</b>	Law Clerk - (714) 338-5470	Law Clerk - (714) 338-5473
<b>NORTHERN DIVISION</b>		
<b>Carroll, Peter H.</b>	Law Clerk - (805) 884-4861	Deputy Clerk - (805) 884-4868
<b>Riblet, Robin L.</b>	Law Clerk - (805) 884-4851	Deputy Clerk - (805) 884-4852
<b>Saltzman, Deborah J.</b>	Law Clerk – (805) 884-4851	Deputy Clerk – (805) 885-4852

# **Appendix I: Issues Regarding Notice and Service**

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## 1.0 Implementation of FRBP 9006(f) – 3 Additional Days to Act or Proceed

1.1 **FRBP 9006(f)**. Pursuant to FRBP 9006(f) as amended effective December 1, 2009, when an item that contains a deadline to act or proceed is served by mail, electronically, or pursuant to F.R. Civ. P. 5(b)(2)(D), (E), or (F), and the deadline proscribed for acting or proceeding is a specific number of days after the date the item is served, three days are added to the deadline to act or proceed.

1.2 **3 Additional Days to Act or Proceed**. 3 additional days are added to a deadline when the deadline proscribed is determined by counting forward a specified number of days after the date indicated on the proof of service.

**a. Applicable Situations Include Service of a/an:**

1. Summons and notice of status conference in an involuntary petition;
2. Summons and notice of hearing on petition pursuant to 11 U.S.C. chapter 15;
3. Notice of intent;
4. Notice to cure default (*example*: relief from stay adequate protection agreement);
5. Order to comply (when compliance deadline is determined by counting forward a specific number of days after service of the order);
6. Discovery request;
7. Demand;
8. Answer to a crossclaim;
9. Reply to a counterclaim; and
10. Motion or application made pursuant to LBR 9013-1(o) or pursuant to other LBR with a similar notice and opportunity to file a response and request a hearing

**b. Applicable LBR forms Effective October 24, 2010:** Please see Public Notice 10-021 for a list of LBR forms relating to 3 additional days to act or proceed.

- c. **Language of Notice:** Appropriate language to include when providing notice of a deadline to act or proceed, when not using a court-approved form, is:

The deadline for (fill in the required action or proceeding) is (fill in number of days) days after the date of service of this (fill in item being served), plus an additional 3 days if you were served by mail, electronically or pursuant to F.R. Civ. P.5(b)(2)(D),(E) or (F). If you fail to comply with this deadline, the court may treat such failure as a waiver of your right to (fill in the required action or proceeding).

- 1.3 **No Additional Days to Act or Proceed**. Additional days are not added to the deadline if: (1) the deadline proscribed is determined by **counting backward** a specific number of days prior to a scheduled event; or (2) an exact deadline is set without reference to the date on the proof of service.

a. **Examples of Notices re Scheduled Events:**

1. hearing date
2. status conference
3. pre-trial conference
4. trial
5. mediation
6. settlement conference

b. **Example of Notice with Exact Deadline:**

1. Summons and notice of status conference re adversary proceeding complaint.